

CAL ON ES

75 E87

V.2

ENVIRONMENTAL HEARING BOARD

L EXPANSION OF SEWAGE TREATMENT PLANT TOWN OF DUNDAS
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

HAMILTON PUBLIC LIBRARY

MAY 04 1981

GOVERNMENT DOCUMENTS

Held in Dundas Town Hall
60 Main Street, Dundas,
Ontario on October 22, 1975

Nethercut & Company Limited
Official Reporters
44 York Street
Toronto, Ontario

VOLUME II



E X H I B I T S

No.	Description	Page No.
17	Brief of McMaster Students Union Inc. presented by Mr. Hutton	108
18	"Too Much too Fast" - Brief presented by Mr. McKibbin on behalf of St. Cuthbert's Christian Community	118
19	Hamilton Region Conservation Authority Brief presented by Wm. Powell, Chairman	118
20	Brief presented by John Coates, Supervisor of Planning, Hamilton Region Conservation Authority	130
21	Brief presented by Miss Joyce Fuenekes on behalf of the Students of Parkside Secondary School	141
22	Clear Hamilton of Pollution (Incorporated) October 21, 1975	159
23	Brief presented by Mr. John C. Don	163
24	Brief presented by Dr. Stanley Heshka with attached petition forms	167
25	Brief presented by Mr. Priest on behalf of the Ontario Public Interest Research Group	181
26	Summary of presentation submitted by Mr. Lamoureux, Conservationist and Co-ordinator of Education of the Royal Botanical Gardens	186
27	Brief presented to the Ministry of the Environment by The Board of the Royal Botanical Gardens, January 8, 1974	186



EXHIBITS (Continued)

No.	Description	Page No.
28	Brief presented to the Regional Municipality of Hamilton-Wentworth by Royal Botanical Gardens	186
29	"Water Quality Goals for Cootes Paradise"	187
30	Royal Botanical Gardens Policy and Objectives for Cootes Paradise	187
31	Letter dated October 9, 1975 to Mr. H. Browne from W. John Lamoureux, Royal Botanical Gardens	187
32	Map	221
33	Brief on Advanced Wastewater Treatment submitted by Dr. Benedek	221
34	Curriculum Vitae - A. Benedek	221
35	Brief submitted by Mrs. Betty Barhydt	222
36	Brief by The Fairfield Digester System submitted by Margaret Lachman	230
37	The Corporation of the Town of Dundas By-Law No. 1964 - Zoning By-Law	244
38	Brief submitted by Mr. Schwarz	255
39	Letter submitted by Elizabeth C. Frank	286
40	Brief submitted by the Dundas Heritage Association presented by Mrs. Chapple	295



EXHIBITS (Continued)

No.	Description	Page No.
41	Brief submitted by Hamilton Naturalists' Club, presented by Mrs. Chapple	295
42	Resolution dated 19th of August, 1975	304
43	Resolution dated 5th of November, 1974	304
44	By-Law of the Regional Municipality of Hamilton-Wentworth	309
45	Certified copy of Resolution dated 19th August, 1975	309
46	Terms of Reference - dated March 24, 1975	309



ENVIRONMENTAL HEARING BOARD

EXPANSION OF SEWAGE TREATMENT PLANT
TOWN OF DUNDAS
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

Dundas Town Hall
60 Main Street
Dundas, Ontario
October 22nd, 1975

BEFORE:

D. Caverly - Chairman
D. Morton - Member
L. Venchiarutti - Member

M.J. Cathcart - Acting Secretary
H. Browne - Technical Advisor

APPEARANCES:

R. Plant - Solicitor for
Hamilton-Wentworth

Nethercut & Co. Ltd.
Official Reporters
44 York Street
Toronto, Ontario

Per: T.M. Cameron



1
2 --- Upon resuming at 9:30 a.m.

3 THE CHAIRMAN: Could we come
4 to order, please.

5 Yesterday we distributed attendance
6 sheets. I believe I see some new faces here
7 this morning. If anyone has not filled these in,
8 Mr. Cathcart is going to go around the audience
9 and if you would give your name and address and
10 if you wish to speak, please indicate yes or no.

11 A number of people have asked to
12 be put on this morning and I am going to do every-
13 thing I can to accommodate those people, but we
14 may run out of time. I have been taking them in
15 the order in which they have approached me and
16 for your information, I have now - first we will
17 take Mr. Hutton and then Mr. McKibbin and then
18 the Conservation Authority, the Parkside High
19 School, and if we have time Mr. Moriarity of "Clear
20 Hamilton of Pollution".

21 So that is the order at the moment
22 and we will see where we go in time.

23 Mr. Hutton.

24 MR. HUTTON: For the record my
25



1 name is Peter Hutton and I am representing McMaster
2 Students Union.

3 Unlike some of the people who
4 spoke yesterday, I cannot be as eloquent or as
5 well informed as they were, but for the first
6 time in this hearing I would like to present a
7 public viewpoint, the viewpoint of the students
8 of McMaster.

9 Cootes Paradise is one of our
10 greatest local natural resources we have today.
11 It has been used widely as a wildlife sanctuary
12 and a place for peaceful recreation for many
13 years. Recent events, however, have cast shadows
14 over the future of the marsh in its ability to
15 continue the aforementioned functions.

16 The expansion of the Dundas Sewage
17 Treatment Plant has been considered to be one of
18 these shadows cast on the high standards of
19 enjoyment people have received in using the marsh
20 area.

21 In this short statement, the
22 McMaster Student's Union would like to address
23 itself to some of the important concerns and fears
24 students have and the general public alike have
25 on this question. Only acting as a concerned



1 public observer, the McMaster Student Union cannot
2 pretend to be qualified to comment on the complex
3 technical nature of the plant expansion proposed.
4 We would like to bring to the attention of the
5 Board several basic philosophical questions we feel
6 are too important to remain unanswered as they
7 are in the regional proposal.

8 Within reason, the McMaster Student
9 Union accepts the fact that something has to be
10 done and that plant expansion is one of the best
11 short term solutions to deal with the excess sewage
12 now poorly treated during peak periods by the
13 present plant.

14 We also feel it is now time for
15 the regional government to consider a more long-
16 term solution to this plant expansion - - long-
17 term solution of which this plant expansion would
18 be only the first step. Only by looking at this
19 question can we really determine the full
20 ramifications of the present proposal. In line
21 with this kind of plan, we would like to raise the
22 following points and questions:

23 1. We have our doubts about the timing
24 of this hearing in the technical report available
25 to us it states, six months are necessary for in



1 depth design of the plant including time for
2 Board hearings, etc., before construction can begin.
3 Yesterday in the hearing the technical consultants
4 from the region stated nine months, and I have
5 also heard figures from seven to eight months.
6 These are questions we would like to see - the
7 public would like to see answered. What is the
8 true timing for the building of this plant?

9 Further, we contend that the problem
10 of the plant effluent is inherent in the sewage
11 treatment plant expansion and that expansion
12 cannot be considered without this information.
13 Because of this we question the timing of this
14 hearing that has long been delayed and now will
15 take place when important facts, such as the
16 report of the Provincial Government, which will
17 be available in the spring, are being ignored.

18 2. In the application, a possible
19 outflow alternative to the present situation is
20 also discussed. This alternative, relative to
21 the first point we raised, is an extension of the
22 outflow pipe a maximum of 4000 feet to take the
23 end into the main body of Cootes Paradise, Spencer
24 Creek. With the present state of pollution in
25 the marsh, even this may be an unacceptable solution



1 and this could leave us with a plant that has no
2 place to dispose its effluent. No mention is made
3 to suggest other long range alternatives such
4 as land disposal of liquid effluent for fertilizing
5 purposes or bypassing the marsh through pipelines.

6 The proposal, in this way, also raises
7 the fear within us that a proposed expansion may
8 have technical difficulties with the present plant
9 site in space and in hydraulic capacity of the
10 plant to build a pipeline.

11 I should say at this point that
12 this question was answered yesterday by the
13 technical consultant. He pointed out that a
14 pipeline would really be built and could go into
15 Hamilton Harbour, but additional pumping would be
16 needed.

17 With these points in mind, we
18 would like to strongly recommend that the plant
19 consideration be put off for several months while
20 these questions are answered so that no mistakes
21 will be made. Failing that, we would urge the
22 committee to call for a reconsideration of the plan
23 by public hearing in the spring when further facts
24 on the outflow will be known.

25 Our third point is regarding the



1 capacity of the plant. In the report it states
2 the design capacity of the plant of 5 to 2.5 mgd.
3 with an average - we are dealing with an average
4 flow of 2.5 mgd. We wonder in light of the many
5 proposed development projects in the Town of Dundas
6 whether this figure is correct. We also wonder
7 how these figures have been developed in the
8 light that there are no, none as yet complete
9 development plans in the Town of Dundas.

10 There are other questions that
11 could be raised, all related we feel in some way
12 to the above question and all contribute to the
13 same point. That is the lack of long range solutions
14 available in this action. We strongly criticize
15 what we feel is a lack of consideration that we
16 see in the Region's consideration of the case.

17 This is, we feel, not only a point
18 to be raised in this case, but one that should be
19 raised all over Ontario. Piece-meal, self-
20 centered actions are what has caused the present
21 pollution problems. Only with concerted and well-
22 planned long term action can these problems be
23 dealt with.

24 Students have enjoyed the area
25 available around the Cootes Paradise marsh for as



1 long as McMaster University has been a part of
2 Hamilton. It has added much to the lives of many
3 people and it would be a shame to see its great
4 value squandered. This may happen if we are not
5 careful.

6 We have raised these questions as
7 concerned citizens of Ontario, about the proposed
8 expansion which puts the marsh in jeopardy. It
9 would be a crime if these questions go unanswered
10 and the quality of life in this area further
11 deteriorates.

12 With this concern in mind, we
13 express our concern on behalf of all of the students
14 of McMaster regarding this issue and hope you
15 will bear it in mind when you make your decision pro-
16 tecting the continued good health of Cootes
17 Paradise.

18 This presentation is signed by the
19 Chairperson, External Affairs Committee, Mike
20 Stammers, and by the President, McMaster Students
21 Union Inc., Peter Cameron. It was approved at
22 a meeting, unanimously, at a meeting of the
23 External Affairs Committee on Tuesday, October 21st.

24 THE CHAIRMAN: Thank you,
25 Mr. Hutton.



1 MR. CATHCART: That will be
2 Exhibit 17.

3
4 --- EXHIBIT NO. 17: Brief of McMaster Students
5 Union Inc. presented by
6 Mr. Hutton.

7 THE CHAIRMAN: We will take
8 Mr. George McKibbon of St. Cuthbert's Presbyterian
9 Church.

10 MR. McKIBBON: I would like to
11 present to you a brief that was prepared by the
12 Working Committee of St. Cuthbert's Presbyterian
13 Church. We have been studying the issue regarding
14 the proposed expansion to the existing Dundas
15 Sewage Treatment Plant for some time and we have
16 prepared this brief for your consideration.

17 We arrived at the title of the
18 brief "Too Much Too Fast" when we considered the
19 past geological history of the marsh. We figured -
20 we estimated that it has taken over roughly 10,000
21 years to create naturally the eco-system
22 we are dealing with and much of the current status
23 in the marsh has been the result of our activities
24 over the past 20, 40, 100 years.

25 Therefore, the title "Too Much Too
Fast."



1 The purpose of this brief is twofold.

2 First, we wish to express our
3 concern about the deterioration of Cootes Paradise
4 as a unique and distinctive biological community.
5 We feel that this deterioration affects the ability
6 of our regional environment to sustain and nurture
7 the residents of the Westdale and Dundas area who
8 live within its framework.

9 Second, we wish to express our
10 concern about the proposed expansion of the Dundas
11 Sewage Treatment Plant and the evaluation of the
12 marsh as a receiving body for treated effluent.
13 It is our opinion that insufficient knowledge exists
14 on the current health of the marsh at present to
15 evaluate the consequences of the proposed addition.
16 Any action which will prejudice the quality and
17 continued functioning of Cootes Paradise is out
18 of step with the needs of the West Hamilton-Dundas
19 area. These needs include the preservation of
20 Cootes Paradise in an optimum biological condition.
21 Our knowledge and appreciation of the marsh has
22 changed. Therefore, our planning and activity in
23 relation to the marsh should change as well.

24 As a local Church, we are aware
25 that only a creative learning model of decision



1 making is adequate to cope with the reality of
2 social and economic development within our communities.
3 As a people attempting to act responsibly, we are
4 ~~un~~aware that the distinctiveness of the social
5 process is that mankind as individuals or groups
6 are capable of purposeful or non-purposeful
7 behaviour. We welcome this opportunity to
8 evaluate our past behaviour and organize our
9 present activity for the demands of reconciliation
10 needed to restore and manage Cootes Paradise in an
11 optimum condition.

12 We have included a reference to
13 a passage in Deuteronomy:

14 "I call heaven and earth to witness
15 against you that I have set before
16 you life and death, the blessing
17 and the curse: therefore choose life,
18 so that you may live, you and your
19 children, to love the Lord your God,
20 to obey His voice, and to cling to
21 Him ... that you may dwell upon the
22 land..."

23 II. DEVELOPMENT AND PROBLEMS

24 Development within the West Hamilton-
25 Dundas area has been rapid. Maybe too rapid. This



1 development seems to have outstripped the ability
2 of our environmental context to cope with it. For
3 example: -- We have gone through a number of
4 examples and I think we would be somewhat redundant
5 if I went through this at this time, because some
6 of the presentations you have received are in
7 much more detail and certainly cover a broader
8 scope than the points we have raised here.

9 I would like to point out, however,
10 part 5 which outlines a number of pollution sources
11 to the marsh. We feel they are essential that if
12 any plan for reconciliation within the plant
13 should deal with these items as well.

14 a) Chedoke Creek and seepage from the
15 West End land fill site.

16 b) Spencer Creek is fast approaching
17 the point where it can ruin itself
18 biologically and eventually if the
19 present trends are continued. It
20 will be more or less contributing
21 a larger amount of pollutants to
22 the marsh.

23 c) Combination sanitary sewer overflows
24 in Westdale.

25 d) Chlorides from water chlorination



1 and highway salt.

2 e) Septic tank overflows into tributary
3 streams.

4 That deals primarily with Spencer and some of the
5 other small tributary streams.

6 f) Soil erosion from construction sites
7 and stream erosion

8 g) Storm sewer runoff, and lastly

9 h) Leachate from the Dundas landfill
10 site off York Road which flows
11 roughly through Borer's Creek.

12 We also note too the last point, No. 7, it is our
13 understanding from the study that an eco-system,
14 when it has been exacted from the input of nutrients
15 from external sources, it is very difficult to
16 slow that process of activity down. So therefore
17 we feel that if you eliminated all the additional
18 nutrient sources to the marsh at this point, that
19 it would probably be very difficult to slow the
20 present biological activity down without doing
21 something to the marsh itself.

22 Some of these contentions are
23 solid facts. Others are statements of concern
24 reflecting a lack of available facts on the
25 consequences of development in the Westdale-Dundas



1 area. It is logical to suspect that land
2 development in conjunction with the associated
3 servicing requirements (i.e. sewage treatment and
4 waste disposal) induce the deteriorations noted
5 above.

6 This is a critical time for our
7 community. Continued development without conscious
8 concern and care for resultant impacts on our
9 environmental frame will result in our collective
10 demise. The time is not too late. In an old
11 biblical story, a prophet was directed to go down
12 to the potter's house. There he watched the
13 potter work, saw how the clay was spoiled in his
14 hand and then used to make a vessel that seemed
15 good to him. As the prophet watched, he heard
16 a voice saying "Can I not do with you as the
17 potter has done? Behold, like the clay in the
18 potter's hands, so are you in my hand."

19 The proposed expansion complete
20 with outfall into Cootes Paradise will create
21 more problems, of that we have no doubt.

22 1. At present, there are no documented cases
23 of marine improvements wherein the cause of
24 the deterioration of the aquatic environment
25 was waste water and where the discharge of



1 more highly treated effluent to the
2 water body was continued. This conclusion
3 was reached after the University of
4 Wisconsin and that State's Department of
5 Natural Resources surveyed over 600
6 accounts of lake rehabilitation/protection
7 programs in 1974.

8 Under these circumstances, we feel
9 it would be produdent to pause to reconsider the
10 situation. The condition of Cootes Paradise resembles
11 a machine that shows signs of breakdown. We can
12 either stop and have it looked at and make the necessary
13 alterations to maintain it as a functioning entity
14 or we can keep going until the machine breaks down,
15 risking our own demise. We argue that the risks
16 of the continued deterioration of Cootes Paradise,
17 which we who live in this area have to bear, are
18 unwarranted. The signals coming in and our own
19 experience tells us that the deterioration of the
20 marsh is a serious situation.

21 This is not the time for increasing
22 the amount of effluent the marsh will receive. It is
23 the time to pause, to examine the needs of the
24 marsh, to look for methods of waste treatment
25 and disposal congruent with the requirements and



1 quality of environmental processes, to assess and
2 remedy the full consequences of Westdale-Dundas
3 development on our environmental framework, and
4 then, if it makes sense, to proceed with further
5 development that adds to the community's quality,
6 rather than its problems.

7 We make three proposals to achieve
8 some of the aims that we have set out for you.

9 We propose:

- 10 1. We propose that no expansion of the Dundas
11 Sewage Treatment Plant should take place
12 prior to the determination of the precise effect
13 such an addition will have on Cootes Paradise.
14 If said report indicates that the expansion
15 will result in the further deterioration of
16 the marsh, then the expansion should not take
17 place. To proceed without this analysis is
18 unwise. The water quality goals established
19 by the Royal Botanical Gardens and the Hamilton
20 Region Conservation Authority should be the
21 acceptable minimum quality levels.
- 22 2. The study required to deal with the above
23 should be broadly based and capable of investi-
24 gating and making recommendations on other
25 sources of deterioration within the marsh.



1 We note those other sources of pollution which
2 were cited in the brief.

3 3. We propose that the Region of Hamilton-Wentworth
4 establish an Environmental Agency or delegate
5 an existing environmentally based agency
6 sufficient powers and monies to review and
7 revise where appropriate, the recommendations
8 of the study with the public, interest groups,
9 and government agencies. Following the
10 review, said agency should implement the
11 results.

12 We feel that is essential, too, because many of
13 the sources of pollution which have been cited to
14 you in the brief come from areas beyond the actual
15 physical dimensions of Cootes Paradise and therefore
16 are within the jurisdiction of other agencies and
17 bodies.

18 In conclusion, we have attached to this
19 brief which you have, a small brochure entitled
20 "St. Cuthbert's, Who are We?" which should give
21 you some indication of the nature of the brief
22 itself and also a list of signatures of people
23 who have worked on the brief, and essentially
24 validate its content.

25 We would be pleased to receive a



1 copy of the summary of these proceedings and in
2 particular, your decisions on this matter, and we
3 have enclosed a name and address for contact with
4 us.

5 In conclusion, the book of Romans
6 contains the passage: "All nature grows in the
7 emergence of the sons of men who act responsibly
8 with it." The evidence we have heard today
9 indicates that Cootes Paradise is certainly growing.
10 It is our personal hope and prayer that this
11 hearing will assist in the process of responsible
12 action towards Cootes Paradise.

13 On behalf of St. Cuthbert's, I
14 would like to thank you for the opportunity of
15 presenting this brief.

16 THE CHAIRMAN: Thank you, Mr.
17 McKibbon.

18 Are there any questions from the
19 audience?

20 The Board members?

21 MR. VENCHIARUTTI: Where is it
22 located?

23 MR. McKIBBON: It is located
24 in West Hamilton.



1 THE CHAIRMAN: Thank you,
2 Mr. McKibbon.

3 The brief presented by Mr. McKibbon
4 will be Exhibit 18.

5 --- EXHIBIT NO. 18: "Too Much Too Fast" - brief
6 presented by Mr. McKibbon
7 on behalf of St. Cuthbert's
8 Christian Community

9 -----
10 THE CHAIRMAN: Mr. Powell of
11 the Hamilton Region Conservation Authority.

12 The Conservation Authority brief
13 will be Exhibit 19.

14 --- EXHIBIT NO. 19: Hamilton Region Conservation
15 Authority brief presented
16 by Wm. Powell, Chairman

17 MR. POWELL: Before I read this
18 brief, I would like to point out that I instructed
19 my staff, in the interests of paper pollution, to
20 type on both sides of the paper, so do not get
21 lost.

22 The Hamilton Region Conservation
23 Authority is a corporate body established under
24 the Conservation Authorities Act of Ontario. The
25 Authority's objectives are to establish and under-



1 take a program designed to conserve, restore,
2 develop and manage the natural resources within
3 its area of jurisdiction. Watershed management
4 and related conservation projects are carried out
5 in partnership with its member municipalities and
6 the Province of Ontario.

7 The Spencer Creek and Cootes
8 Paradise are included within the Authority's
9 area of jurisdiction. From its inception in 1966,
10 the Hamilton Region Conservation Authority has
11 been concerned about the environmental quality of
12 Cootes Paradise. This is evidenced by the fact
13 that a special Cootes Paradise-Desjardins Canal
14 subcommittee was set up including representatives
15 from the Authority, Town of Dundas and the Royal
16 Botanical Gardens. This subcommittee has made
17 recommendations on several issues such as York
18 Road re-alignment, filling in Desjardins Canal, the
19 Dundas sewage treatment plant and potential uses
20 of the marsh.

21 DUNDAS SEWAGE TREATMENT PLANT

22 The Authority has carried out a
23 sanitary survey of Spencer Creek and other creeks
24 entering into Cootes Paradise in conjunction with
25 the Ontario Ministry of the Environment since 1967.



1 The results of this survey indicate that the water
2 quality of Spencer Creek and Cootes Paradise is
3 steadily deteriorating as a result of demands placed
4 on the system. Stream flow records for lower Spencer
5 Creek indicate the average flow during the summer
6 months is gradually decreasing. At the same time,
7 the volume of sewage effluent appears to be
8 steadily increasing and, in fact, sewage now
9 occupies a significant portion of the total water
10 input into Cootes Paradise.

11 When the expansion of the existing
12 Dundas sewage treatment plant was proposed, the
13 Authority became concerned about further deterioration
14 of Cootes Paradise water quality. After considerable
15 review, the Authority recommended that Dundas
16 sewage be collected and pumped to the Hamilton
17 sewage plant for treatment. This method is still
18 the preferred alternative from the Authority's
19 point of view.

20 COOTES PARADISE ENVIRONMENTAL STUDY

21 On February 21, 1975, the Regional
22 Municipality of Hamilton-Wentworth decided to
23 proceed with expansion of the existing sewage
24 treatment plant from its present capacity of 2
25 million gallons per day to 4 million gallons per



1 day, with further expansion contemplated.

2 Subsequently, the Region decided
3 to undertake a study to determine the best possible
4 discharge point for the expanded plant. The
5 Authority, along with several other agencies,
6 commented on the proposed terms of reference for
7 this study. The revised terms of reference, as
8 recommended by the Authority, entitled "Terms of
9 Reference - A Study to Determine the Causes of and
10 Remedies for Pollution in Cootes Paradise", are
11 attached to this report as Appendix "A".

12 The Ministry of the Environment
13 agreed to undertake this study under the original
14 terms of reference prepared by the Region, using
15 the broadest possible interpretation in order to
16 meet the concerns of the Hamilton Region Conserva-
17 tion Authority and the Royal Botanical Gardens.
18 It is our understanding that the environmental
19 study of Cootes Paradise is now in progress but
20 the results will not be available for some time.

21 COOTES PARADISE GOAL STATEMENT

22 In order to assist the Ministry
23 of the Environment in carrying out its study and
24 to assist the Regional Municipality in making its
25 final decision on the proposed sewage treatment



1 plant, the Royal Botanical Gardens and the
2 Hamilton Region Conservation Authority were requested
3 to carry out a study to determine the best ultimate
4 use and water quality goals for Cootes Paradise.

5 Discussions held with the Royal
6 Botanical Gardens indicated that there was
7 sufficient data available to prepare a goal
8 statement for Cootes Paradise without further
9 detailed studies. Both agencies (RBG and HRCA)
10 have prepared such statements and the technical
11 report approved by the Authority entitled "Cootes
12 Paradise - Goal Statement" is attached to this
13 report as Appendix "B".

14 It is the opinion of the Authority
15 that the ultimate goal to be set for Cootes
16 Paradise is a combination of natural wildlife
17 sanctuary with limited passive recreation. The
18 sanctuary concept can be maintained by limiting
19 human access to certain areas and by improving
20 water quality.

21 The importance of Cootes Paradise
22 for migratory birds should also be fully
23 organized and improvements made accordingly.
24 Any uses other than those related to fish and
25



1 wildlife sanctuary and passive recreational use
2 should be required to demonstrate that they will
3 not adversely affect these primary goals.

4
5 CONCLUDING REMARKS

6 Expansion of the Dundas sewage
7 treatment plant must not be carried out without
8 conscious concern to conserve the environmental
9 quality of Cootes Paradise. Should detrimental
10 impacts occur as a result of the proposed expansion,
11 these will be collectively felt by the local
12 community and the residents of Ontario.

13 In the light of the warning signs
14 illustrated by existing resource data and
15 considering the ultimate land use goals for
16 Cootes Paradise, the Authority is of the opinion
17 that a careful examination of all alternatives
18 must be made before this project proceeds.

19
20 It is recommended:

- 21
22 1. That the proposed expansion of the
23 Dundas sewage treatment plant not
24 proceed until the results of the
25 environmental assessment study of



1 its effect on Cootes Paradise are
2 carefully analyzed.

3
4 2. That any environmental assessment with
5 respect to Cootes Paradise and the
6 sewage treatment plant consider the
7 concerns of the Authority as outlined
8 in this report and its appendices.

9
10 3. That the Hamilton Region Conservation
11 Authority have opportunity to review
12 and comment on any environmental
13 assessment prior to a decision to
14 proceed with expansion of the plant.

15 4. That if the environmental assessment
16 indicates that expansion will detrimen-
17 tally affect Cootes Paradise, then the
18 treatment plant and effluent discharge
19 point should be modified or the Dundas
20 sewage transported to and treated at
21 the Hamilton plant in order to
22 eliminate detrimental effect.

23

24

25



1 I should say, Mr. Chairman,
2 that my feeling - and I am sure Chairman Jones
3 will appreciate - that if the water quality is
4 too bad to put into Cootes Paradise, we don't
5 want it in Hamilton Harbour.

6
7 The Authority appreciates the
8 opportunity to submit this report outlining its
9 concerns with respect to Cootes Paradise. We
10 trust that the information contained herein
11 will be of assistance to the Environmental
12 Hearing Board in determining whether or not
13 proceeding with expansion of the Dundas sewage
14 treatment plant would be in the best public
15 interest.

16 Thank you for your consideration.

17 THE CHAIRMAN: Thank you,
18 Mr. Powell.

19 Are there any questions of
20 Mr. Powell?

21 A SPEAKER: How much lake front
22 is owned by the City? How much waterfront is
23 owned by the City?

24 MR. POWELL: By the Conservation
25



1 area, you are talking about on the Cootes
2 Paradise?

3 A SPEAKER: On Hamilton Bay and
4 then Cootes Paradise.

5 MR. POWELL: We do not own any
6 on Hamilton Bay. The Royal Botanical Gardens
7 are the principal owners of lands where Cootes
8 Paradise is and you will be hearing from them a
9 little later on.

10 THE CHAIRMAN: Any other
11 questions?

12 Thank you, Mr. Powell.

13 MR. PLANT: Mr. Chairman, I have
14 a question.

15 Mr. Powell, is this your brief
16 or the brief of the Authority?

17 MR. POWELL: It is the brief of
18 the Authority.

19 MR. PLANT: It has been approved
20 by them?

21 MR. POWELL: Yes.

22 MR. PLANT: Now on page 1, "Dundas
23 Sewage Treatment Plant", you indicate "sewage now
24 occupies a significant portion" - do you have any
25 figures?



1 MR. POWELL: Yes. My technical
2 planner ---

3 MR. PLANT: Is it part of the brief?

4 MR. POWELL: He will be submitting
5 a brief on the technical aspects. I have proposed
6 a policy statement of the Authority in general.
7 He will be following me right away.

8 MR. PLANT: Thank you.

9 THE CHAIRMAN: Any more questions?
10 Thank you, Mr. Powell.

11

12
13 THE CHAIRMAN: Mr. Coates?

14 MR. COATES: Mr. Chairman and
15 members of the Board, the role which the Hamilton
16 Region Conservation Authority wishes to play in
17 this discussion from a technical aspect has to do
18 with runoff and stream flow.

19 The Authority has maintained, in
20 co-operation with the Inland Waters Branch of the
21 Water Survey of Canada, a stream gauge on Spencer
22 Creek at Head Street in the Town of Dundas. Records
23 are available from this gauge for the period
24 October 20, 1960 to the present.

25 Using the ten year period from



1 1962 to 1971 Spencer Creek has contributed an
2 annual average flow of 40,535 acre feet of runoff,
3 or more simply put, an annual average of 614 acre
4 feet per square mile of drainage area.

5 However, Spencer Creek is not the
6 only watercourse contributing runoff to Cootes
7 Paradise. These creeks and their respective
8 drainage areas are as follows:

9	Spencer Creek, including minor tributaries	76.9 sq.m.
10	Sulphur-Ancaster Creek System	17.65 sq.m.
11	Borers Creek,	8.7 sq. m.
12	Sydenham Creek	1.65 sq.m.
13	Chedoke Creek	10.4 sq.m.
14	Numerous small creeks along the north	
15	shore of Cootes Paradise	4.2 sq.m.

16 The total drainage area contributing
17 to Cootes Paradise is therefore 119.50 square miles
18 and the total average annual flow based on the
19 Spencer Creek Gauge is 73,393 acre feet.

20 Based on aerial photographs, the
21 surface area of Cootes Paradise including West Pond
22 is approximately 345 acres and has a storage
23 capacity somewhere in the order of 600 acre feet.

24 When dealing with the dilution of
25 sewage effluent from a municipal waste treatment



1 plant, we should concern ourselves more with the
2 low flow periods of the year, that is, the months
3 of July, August and September.

4 During this period, the average
5 flow for Spencer Creek above the gauging station
6 was 3192 acre feet or 43.37 acre feet per square
7 mile. Based on this average, the total flow
8 entering Cootes Paradise from all sources was
9 approximately 5780 acre feet or a mere 17.1
10 million gallons per day.

11 The proposed addition to the Dundas
12 Sewage Treatment Plan would contribute 4.0 million
13 gallons per day or approximately 20% of the total
14 inflow to Cootes Paradise.

15 It can easily be seen that
16 increased urbanization of the watershed draining
17 to Cootes Paradise will not only reduce already
18 low summer flows, but will also result in the
19 necessity to upgrade the treatment plant to handle
20 greater sewage volumes. This does not appear to
21 be in the best interests of Cootes Paradise.

22 Thank you.

23 MR. PLANT: Do you have copies
24 of your brief?

25 MR. COATES: I just have two



copies.

--- EXHIBIT NO. 20: Brief presented by John
Coates, Supervisor of
Planning, Hamilton Region
Conservation Authority

THE CHAIRMAN: Any questions of
Mr. Coates?

MR. REICHERT: For clarification,
the sewage treatment plant at 4 million gallons
a day based on the river flow data that you had,
with the plant operating at 4 million gallons a
day, it would contribute 20 per cent of the total?

MR. COATES: Combined dry weather
flow, that is for the three months averaged.

MR. REICHERT: Fine, thank you.

THE CHAIRMAN: Any other questions?

Thank you, sir.

THE CHAIRMAN: Mr. Bontaine?

MR. BONTAINE: My presentation
will be given by Joyce Feunekes from Parkside High School.

MISS FEUNEKES: Have you
received a copy of the brief?

THE CHAIRMAN: Yes.



Toronto, Ontario

MISS FEUNEKES: Thank you.

We wish to express to you our concern about the future of Cootes Paradise, the Bay and Lake Ontario, and the effect of the proposed expanded plant. We wish to offer to you our research data on the present conditions, for consideration, and we also recommend alterations to the proposed expansion. We hope that our suggestions will assist you in preventing any further deterioration of Cootes Paradise and the waters beyond.

Through a simple observation of the accelerated changes that have taken place during the past few years in Cootes Paradise, it is obvious that Cootes Paradise is Eutrophying very rapidly. We feel that this must mainly be attributed to an incomplete treatment of the sewage from Dundas. So during the past few weeks, in preparation for this hearing, we have gone out into the field and run tests on the quality of the water. We determined the ammonia, carbon dioxide, nitrogen and phosphate levels of the water.

Our results were alarming. For example, while ammonia concentration at the sewage outfall should be zero, we found an average



1 concentration of 15 ppm. Carbon Dioxides were
2 2.5 times above the acceptable level for healthy
3 water while nitrates level averaged 100 times
4 above the acceptable level and phosphate levels
5 averaged 470 times above the acceptable level.
6 We enclose details of these results in the
7 appendix of this brief.

8 Chemical Analysis is only one method
9 of discovering the quality of the water. Biological
10 analysis determines if indicator organisms are present
11 in the water. From our analysis we observed the
12 following organisms:

13 Vorticella

14 Euglena

15 Volvox

16 Chironomus

17 Paramecium

18 Culex

19 Daphnia

20 Chlorella

21 These organisms are all indicators of badly
22 polluted water.

23 The excessive amounts of ammonia,
24 carbon dioxide, nitrates and phosphates, and the
25 abundance of indicator organisms, point to a grossly



1 inadequate treatment of the sewage at the Dundas
2 plant.

3 The marsh is an important asset
4 not only to the town, but also to the people of
5 Ontario, and should not be thought of as a
6 convenient site for sewage disposal. It is
7 understandable that the value of the marsh being
8 an important stop over and resting place for
9 migrating birds, as a beauty spot with great
10 recreational potential, tend to be ignored
11 because we cannot put any monetary value on it!
12 Yet we submit that the decision on the proposed
13 plant expansion must be that, the quality of
14 Cootes Paradise and its waters beyond be restored.

15 In connection with the proposed
16 sewage plant expansion, the statement:

17 "The new plant will make the
18 effluent going into the marsh and
19 Cootes Paradise much better"
20 has been heard frequently. While this statement
21 in itself may be accurate, many people believing it
22 fail to realize one important fact: The new
23 plant will be handling up to 4.0 mgd instead of
24 the 1.5 mgd being treated presently. Simple
25 mathematics show that this new plant will in fact



1 lead to a greater destruction of Cootes Paradise.
2 To illustrate this, let us just say for a moment,
3 that the present plant has an efficiency of 85 per
4 cent. In other words the effluent contains an
5 equivalent of 15 per cent of its original volume
6 as raw sewage. Through simple calculations 15 per
7 cent of 1.5 million gallons is an equivalent of
8 22,500 gallons of raw sewage. The proposed
9 plant is to be designed for an efficiency of 92
10 per cent, meeting the provincial standard for
11 effluent quality. This will mean that an
12 equivalent of 8 per cent of raw sewage will still
13 be present in the effluent. Eight per cent of the
14 4.0 mgd capacity of the new plant is an equivalent
15 of 32,000 gallons of raw untreated sewage. There-
16 fore, the new plant, as presently proposed, when
17 operating at capacity, will be producing an
18 equivalent of an extra 10,000 gallons of raw
19 sewage. This will hardly improve Cootes Paradise.

20 Besides nutrient removal by means
21 of an Alum or a Lime treatment, the economically
22 acceptable tertiary treatment process appears to
23 be sand filtration and carbon adsorption. These
24 methods provide acceptable BOD and suspended solids
25 removal. Coupled with activated sludge secondary



1 treatment, they can provide up to 95 per cent
2 phosphate and nitrogen removal. We therefore
3 submit that tertiary treatment is required, and
4 the effluent concentration must be severely reduced
5 to no more than 0.05 ppm as the marsh is an ecologically
6 sensitive area.

7 We now wish to draw your attention
8 to another relevant matter. The plant is not
9 the only source of pollution from the town. There
10 are presently 8 pumping stations in Dundas. Five
11 of these have overflows connected directly into
12 nearby creeks. When there is a failure at one
13 or more of these stations, the overflow pipes are
14 used, and unwanted sewage is dumped directly into
15 nearby creeks. The UMA report states that all
16 the stations require immediate improvements, just
17 to meet the demands of the present development.
18 However, the report recommended that only 4 out of
19 the 8 stations be equipped with standby power
20 units, and the overflow from the other four stations
21 be handled by a single portable pump in case of
22 power failures. We feel that this is not adequate.
23 Problems would obviously arise if more than one of
24 the stations failed at the same time and required the
25 portable standby pump. This could easily happen



1 during power blackouts. Time delays involved in
2 getting the standby units into operation would
3 also result in considerable quantities of raw
4 sewage escaping to the creeks.

5 Mechanical failures also have the
6 same results. We therefore submit that full
7 mechanical and electrical standby be provided at
8 all stations, and that all overflows be deleted.
9 Funds for these improvements must be committed by
10 the public even before the plant expansion is
11 considered.

12 The public should also be made
13 aware of the fact that large expenditures will be
14 required on the sewage collection system. To
15 quote the UMA report:

16 "Additionally, substantial new
17 development or redevelopments of
18 existing areas to more intensive
19 land uses should not be approved
20 until a thorough assessment is
21 made on the effects to the present
22 sewerage system. While some sewage
23 capacity may be available in
24 certain portions of the system,
25 the amount of apparent reserve may,



1 in fact, not be available on account
2 of infiltration and illegal
3 connections into the sewer system."

4 We therefore submit that any
5 proposals for sewage treatment plant expansions
6 should not be separated from a commitment to have
7 the collector system improved.

8 Storm water in the collector system
9 could lead to flows at the plant far in excess
10 of what even the expanded plant could handle.
11 Bypassing this flow around the plant directly into
12 the receiving body of water, will add to the
13 pollution load. Improvements of the collector
14 system would therefore also be beneficial in
15 reducing the pollution of the marsh. Alternatively,
16 the feasibility of holding tanks at the sewage
17 treatment plant should be considered, and the
18 bypass eliminated.

19 We trust you will give our proposals
20 serious considerations. We are aware that they
21 will involve considerable additional public
22 expenditures, however, with the type of financing
23 proposed for this project, we of the next generation
24 will bear a large portion of the cost. We are
25 prepared to undertake this commitment. The decision



1 made today will greatly affect the life of the
2 future generation. The future generation is here
3 today at this hearing, pleading not to be let down.
4 --- Applause.

5 THE CHAIRMAN: I must compliment
6 you and your colleagues on the presentation of a
7 fine brief, and it is encouraging to me, especially,
8 and the Board, and I think I speak for the other
9 Board members, that we do have an interest from
10 a group such as yours.

11 I also wanted to compliment - and
12 I forgot the St. Cuthbert's Church - I think this
13 is the first time in my experience on the Board
14 that we have had a presentation by a group, and
15 this is encouraging as well.

16 Am I right in assuming that the
17 demonstration at the back is from your school?

18 MISS FEUNEKES: Yes.

19 THE CHAIRMAN: Would you like to
20 briefly explain what you have back there, for the
21 Board and also for the people of the audience?

22 MISS FEUNEKES: On the top we
23 have a map, it is a map of the Desjardins Canal
24 and it shows the area that is being considered
25 right now for the expanded plant.



1 Underneath that, on the black
2 bristol board, we have taken pictures around
3 Cootes Paradise just to show some of the scenes
4 which is actually going on around there right now.

5 Beside that, the chart with figures
6 is the chemical analysis, some of the test results
7 we ran and it shows on the side what is acceptable
8 and what is there, what we found.

9 Below that, one of the students
10 has designed what he feels may be a better solution
11 to the proposed plant, and just sort of puts the
12 way he feels it should be done.

13 On the final piece, there are
14 three pieces of bristol board, which show the
15 type of organisms that we found, all indicate badly
16 polluted water.

17 In the centre is a plant which is
18 presently operating at Lake Tahoe, which improve
19 the condition of the water there and which we feel
20 would be a lot better if something like this
21 would be done. It just shows what is being
22 operated right now and has been quite well for it.

23 THE CHAIRMAN: I have one question
24 to ask of you. In your brief you have put some
25 very good recommendations, such things as holding



1 tanks, standby power pumping stations. We have
2 the flow diagram of the now famous Lake Tahoe --
3 I am curious, this must have involved quite a bit
4 of extra curricular activity as far as your class
5 is concerned, because I do not think this is
6 normally handled in your curricula.

7 MISS FEUNEKES: Well mainly it
8 is a group of students from the environmental
9 science class being taught at Parkside High
10 School and we all thought we should come down
11 and express our views and what we feel should be
12 done in the sewage treatment plant. So since
13 this started, I guess since the beginning of
14 October, we have all got together and we have
15 run the tests and people have stayed after school
16 and have done work at home, getting results for
17 these, and it takes a lot of work, and most of
18 the students are not here today because they had
19 to be in classes, but they were here yesterday.

20 THE CHAIRMAN: Where is Parkside
21 School?

22 MISS FEUNEKES: On Parkside
23 Drive just by the driving park.

24 THE CHAIRMAN: Just over here?

25 MISS FEUNEKES: Just below the



1 escarpment in this direction.

2 THE CHAIRMAN: Thank you very
3 much, Miss Feunekes.

4 That brief will be Exhibit 21.

5 --- EXHIBIT NO. 21: Brief presented by Miss
6 Joyce Feunekes on behalf
7 of the Students of Parkside
8 Secondary School

8 -----

9 THE CHAIRMAN: We will now
10 hear from "Clear Hamilton of Pollution" - Mr.
11 Moriarity.

12 MR. MORIARITY: Mr. Chairman
13 and Board members, I have a written brief which
14 has been presented to you on behalf of Clear
15 Hamilton of Pollution. This brief was prepared
16 by a fairly large group of people, or least
17 through the consultation of a very large group
18 of people, and the main credit for it I have to
19 give to my colleague, Michael Nash, who is a law
20 student in Hamilton, and I think he has produced
21 a very good brief.

22 I do not particularly want to
23 read it all, because a lot of it says the same
24 things that other people have said. However, I
25



1 would like to point out the particular interests,
2 and the reason why I think it is appropriate for
3 a group such as CHOP to be represented and to
4 be appearing here today.

5 We have heard from a lot of
6 people, experts from the Regional Municipality,
7 experts from McMaster University, politicians
8 and I think CHOP is in a special position because
9 it is a volunteer organization that has existed
10 since 1969 and has participated and as a matter
11 of interest of citizens who are not directly
12 involved in various situations that are all
13 concerned about the environment in various issues
14 since that time, and I think from this point of
15 view of concerned citizens who are not local
16 land owners, who don't have a professional interest
17 in the matter, but who do, you know, want to spend
18 some of their time to see that things are done
19 properly, there is a place for comment from this
20 organization.

21 Now our position basically is
22 the same position as that taken by the three
23 politicians yesterday, Dr. Smith, Mr. Cunningham
24 and Mr. Carson, and we feel that the continued
25 deterioration of Cootes Paradise is unacceptable.



1 We feel that the uses that have been set out
2 by the Royal Botanical Gardens and the Hamilton
3 Region Conservation Authority, those of passive
4 recreation and wildlife reserve are the proper
5 uses for the area and we are convinced by
6 presentations and previous consultations such
7 as that with Dr. Harris, who I would submit was
8 the most impressive person to appear yesterday in
9 terms of what he had to say, that if this plant
10 is allowed to go ahead, as was currently planned,
11 there really will be no hope for Cootes Paradise
12 to survive for the uses of the Conservation
13 Authority and many of the people in the region
14 think it should be used for.

15 If I may, I would like to briefly
16 go over - I might say, in a lawyer fashion - some
17 of the other things that have been said before
18 the Board. I have been sitting here, somewhat
19 impatiently, since I am used to really being in
20 a Courtroom, more than in such an informal setting,
21 and restraining myself from jumping up to say
22 "Objection" or something like that. However, if
23 I may just be a lawyer for a few moments, I would
24 like to comment on some of the other things that
25 have been said.



1 Now the main witness, of course,
2 or the main person speaking on behalf of the City,
3 was Mr. Reichert, I believe, the engineer - I am
4 sorry, it is the Region, I apologize. And I do
5 not think that anyone could fail to be impressed
6 by Mr. Reichert's competence and his ability at
7 what he was doing, but I would suggest to the
8 members of the Board that Mr. Reichert misdirected
9 his mind to a certain extent in considering this
10 matter.

11 He seems to have been instructed
12 to plan a certain type of sewage treatment plant
13 and that he did, and apparently did it well.
14 However, I can recall no particular answer from
15 him to the questions that are being raised by
16 Dr. Harris and others, as to what were the other
17 possibilities and why were they rejected.

18 The only suggestion that I can
19 remember, that it was an economic question.

20 Now I suggest to you, members of
21 the Board, that the economic question is not what
22 must be considered here, unless the economics of
23 what has been called by Dr. Harris, a tertiary
24 treatment plant and what I understand will be
25 explained by Professor Benedek , is completely out



1 of the question. Then that must not be the means
2 for decision. The means for decision as to what
3 is going to be done must be what will provide the
4 best chance for survival for this - well, it is
5 called a sanctuary on the map behind you - it is
6 hard to think of it that way, after the evidence
7 we have heard of what it is, but it is supposed to
8 be a sanctuary and if it is to be a sanctuary, the
9 best form of treatment must be obtained.

10 Now an economic argument might
11 be of some value if it would be impossible but
12 we understand this has been done in other places
13 and is said to be economically possible.

14 Perhaps I would like to hark
15 back to what Mr. Cunningham said yesterday, that
16 we do have the technical know-how and the economic
17 ability to produce such a plant. The question is
18 whether we have the moral strength to go ahead
19 and say we must do it.

20 I suggest to you, sirs, that
21 you have to exercise this moral strength. It is your
22 responsibility, to see that the people of this
23 area are not stampeded into something that they
24 do not really want and that will not be good
25 for them.



1 I would suggest there is something
2 a little bit strange about a situation where this
3 plant, which is clearly overtaxed, has been allowed
4 to develop into what is really a crisis situation,
5 so a decision has to be made and virtually anything
6 that could be done by the Region would be an
7 improvement on what we now have.

8 So it is very easy for Mr. Reichert
9 to get up and say we are going to reduce the
10 amount of effluent that is going out from what
11 is going out now, but surely that is not the way
12 a decision should be made by saying the situation
13 is so bad now that whatever you do will improve
14 it, so we will let you do anything no matter how
15 poor an alternative that is.

16 I would like to submit, gentlemen,
17 that is not the way to make a decision and that
18 is not what you should decide. I submit that
19 there is time, there has been time and that the
20 Region must consider properly other alternatives,
21 the Region must present a plan which will provide
22 the type of outflow that is necessary for the
23 survival of this area that is Cootes Paradise
24 before they can be given an unconditional approval.

25 I would like to submit that there



1 would be nothing unjust or unconscionable about
2 this Board deferring the whole matter for a period
3 of however long it may be necessary...I suggest
4 it really would not be more than two or three
5 months...in order to have a proper plan that
6 could be used to provide treatment such as is
7 necessary under the circumstances.

8 Now I would like to comment
9 briefly on the fact that we did have three
10 elected politicians here yesterday, two provincial
11 and one municipal, and they are all representing
12 areas surrounding the area in question, Cootes
13 Paradise, and I submit that regardless of what
14 they said, that the fact that they were here,
15 taking the position, must mean something, at least
16 about how they feel about the feelings of the
17 constituents, the people who vote for them.

18 They must feel that their
19 constituents who live in this area want opposition
20 to this plan and want Cootes Paradise saved.

21 Now it is clear that all of these
22 people are going to be facing re-election in the
23 very near future. I think the municipal election
24 is a year from December, and the provincial
25 election could be any day. And these men are



1 putting their careers on the line to come here
2 and oppose this and I suggest that it is a pretty
3 good indication that it is important to them and
4 important to the people they represent.

5 Just briefly, I would like to
6 refer to the representative of the Ministry of
7 the Environment, whose name I cannot recall, --

8 THE CHAIRMAN: Mr. Pearce.

9 MR. MORIARITY: This gentleman
10 was very interesting in that he took the position
11 in his written paper that the Ministry of the
12 Environment supports this application and yet
13 when he was questioned, he made it quite clear
14 that the Ministry of the Environment in no way
15 supported the proposal being put forward now as
16 the solution and recognized right now at this
17 time that it could not possibly be a solution,
18 but that there would have to be something, whether
19 it be a system for piping away the effluent or a
20 further treatment facility added on to the end of
21 it.

22 Now it seems to me that what he
23 is really saying is trust me, he is saying
24 what bureaucrats have been saying for years and
25 years, that the people need not concern themselves



1 with whether they are going to get what they
2 really need because we are here to protect them
3 and this Board which is supposed to consider the
4 people's interests and rule on the matter, should
5 make a ruling without having any way of knowing
6 whether what is going to result is adequate, but
7 that they should simply put their faith in Mr.
8 Pearce and other members of the Ministry of the
9 Environment to go ahead in a bureaucratic approval
10 procedure and make sure that the proper things
11 are done.

12 Well I am suggesting to you, sirs,
13 that if you should do this, if you should
14 unequivocally and unconditionally approve this
15 at this time and rely upon the Ministry of the
16 Environment to make sure that the proper additions
17 are made, that you would be abdicating your
18 responsibility. Because if you recognize today
19 that the plant which is proposed is not satisfactory
20 and would in fact result with further harm to
21 the environment, then I submit to you that it is
22 your responsibility to place conditions at least
23 on an approval, which will assure that the people
24 will have some sort of assurance, some sort of
25 solid means for believing that the necessary



1 additions or changes will be made and they will
2 not simply get lost in a mass of red tape after
3 this hearing is over.

4 Now there is one thing I would
5 like to point out, that is of some interest to me
6 at least, and that is that the representatives
7 of the Region don't seem to have made any real
8 argument that tertiary treatment is not necessary.
9 I want to suggest a reason why.

10 It appeared yesterday from what
11 Mr. Reichert had to say, that this is a relatively
12 permanent sort of situation, and he talks about
13 the population growth and development growth up
14 to the year 2000 or thereabouts. However, I have
15 a copy of the report from the engineering firm
16 of Underwood, McLellan & Associates Limited to the
17 Town of Dundas, dated September 20, 1973, and I
18 believe this is the firm you belong to, is it not
19 Mr. Reichert?

20 MR. REICHERT: Yes.

21 MR. MORIARITY: Page 52 of that
22 report, referring to a modified high rate activated
23 sludge process. I don't think it has much to do
24 with what we are considering today except that
25 in the middle of the paragraph it says:



1 "In the interests of economy and
2 since the plant is anticipated to
3 have a limited life, it is suggested
4 that the process used be one that
5 does not require a new sludge
6 treatment facility."

7 Now I would suggest, gentlemen, that a limited
8 life normally would not be what you considered
9 thinking about up until the year 2000 and I suggest
10 it is possible that the Region is being less than
11 frank with the people here in discussing just what
12 is intended for this area in the future.

13 I suggest that although I do not
14 wish to make any inference of any improper influence
15 or anything of this nature, but there are large
16 development interests who have a lot of money
17 at stake in having some sort of sewage treatment
18 plant go in here so they can start building
19 developments. And of course there are valid
20 interests in that way. You know we have to have
21 housing built, Dundas may be a good area for
22 some of it. However, I would suggest that there
23 must be pressures involved here from people who
24 own land and want to develop it, that any sewage
25 treatment plant would be all right as far as they



1 are concerned.

2 Now I don't want to suggest again
3 that any member of Regional Council or that any
4 of the officials have been unduly influenced by
5 this, but these pressures must be there and I
6 would suggest that this is possibly one of the
7 reasons whether conscious or unconscious, that the
8 Region seems so anxious to get something built
9 quickly, regardless of how good or bad it may be.

10 Gentlemen, I think that is about
11 all that I want to say. I hope no one will ask
12 me any questions because really I don't know
13 very much about the subject and I have just been
14 more or less commenting on what I have seen and
15 the little reading I have done before for the
16 purpose. However, I will try to answer any if
17 there are any.

18 THE CHAIRMAN: Thank you,
19 Mr. Moriarity.

20 Are there any questions?

21 MR. PLANT: Just a couple of
22 questions, Mr. Moriarity.

23 Q. Some of the statements
24 appearing in the brief I think require a
25 clarification. On page 8 you indicate that:



1 "...Regional Chairman's statement
2 contained in a letter to the Board
3 of unknown date..."

4 in fact the date is September 8, 1975.

5 I am referring to the letter of
6 the Chairman which I showed you, did I not?

7 MR. NASH: Yes.

8 Q. That statement is taken
9 from that?

10 MR. NASH: Yes.

11 Q. You indicated here, and I
12 think in fairness the letter has been filed as an
13 exhibit, I believe the first exhibit filed with
14 the Board, that it could be clarified as to what
15 exactly is the intention of the letter which was
16 signed by the Chairman, as Chief Executive Officer
17 of the Regional Municipality, that there be no
18 misinterpretation as to the position he took.
19 The Chairman was taking the position for the
20 municipality and I would like that clear.

21 You indicate in your statement
22 that the outflow location, as mentioned in the
23 letter, will be determined by the study results.

24 "CHOP requests an institutional
25 guarantee that such will be the case."



1 In fact I invite you to read this letter again
2 and to clarify that, that that is not the
3 intention of the letter. The letter does not
4 intend the study will guarantee that there be
5 an outfall, the letter indicates when the study
6 results are known, then the Region will oblige
7 the results of the study and build an outfall.

8 The only assurance the Chairman
9 could give is that the Region would comply.

10 MR. MORIARITY: I don't see
11 the difference.

12 Q. She is not assuring the
13 outcome of the study results, she is merely
14 saying that when the study results are known,
15 the Region will comply and the Region will build
16 an outfall.

17 MR. MORIARITY: That's what I
18 said on page 8.

19 Q. You said on page 8:

20 "In a letter of unknown date that
21 the outfall location will be determined
22 by the Study results."

23 She is not giving any assurance that the Study
24 results will determine that, she does not know
25 what they will do.



1 MR. MORIARITY: I think that
2 what she was saying was that if the Study should
3 conclude that the outfall should be located at
4 a particular spot.

5 Q. Yes, but I think the intent
6 of your statement here is that she will assure
7 that the outfall location will be determined by
8 the Study results, and just for the state of
9 clarification, I will read that from the letter;
10 Mrs. Jones says:

11 "As you know the Regional Council
12 has assumed the application of the
13 Town of Dundas to the Minister to
14 expand the Treatment Plant to 4
15 million gallons daily from its present
16 2 MGD. The Council is not able to
17 decide on a final location for the
18 outfall outlet to the Plant until
19 this has been determined by
20 environmental studies presently under
21 way by the Ministry and the Hamilton
22 Regional Conservation Authority, the
23 Royal Botanical Gardens and McMaster
24 University, at which time the
25 Region will proceed with the



1 construction of the new outfall."

2 Now I submit that the assurance there given is
3 not to assure what the results of the study will
4 be, but that the Region will proceed with the
5 construction of the outfall as required. Is that
6 not ---

7 MR. MORIARITY: I say to Mr.
8 Plant and the Board, I thought that was what I
9 was saying in my brief. I agree with the intent,
10 as you have explained, of the letter and it was
11 my intent to portray that in the brief, but if
12 there was a difference of opinion I was not aware
13 of it.

14 Q. I accept that and I just
15 wanted to introduce it for clarification so that
16 the brief would not go in with that point
17 unchallenged.

18 Of course you did not get a copy
19 of the letter, did you?

20 MR. MORIARITY: That is right.

21 Q. That is really the only
22 question that I had. Mr. Moriarity, however,
23 mentioned - in the course of your remarks -
24 commenting on the brief that one of the moving
25 factors for the application for proposed expansion



1 was some proposed development that might take
2 place suddenly if this expansion were permitted.
3 Developers in the background waiting to pick up
4 the pieces.

5 Did it ever occur to you that the
6 expansion might also be very well motivated on
7 occasion by the fact of the inadequacy of the
8 existing sewage treatment plant?

9 MR. MORIARITY: Well I am not
10 suggesting that it is not additional - - -

11 Q. Why is that then not an
12 important factor in your suggestions, in your
13 innuendo that developers are the principal
14 culprits?

15 MR. MORIARITY: I didn't suggest
16 they were the principal cause, I just said that
17 they were a factor and really I don't want to
18 suggest there is any improper behaviour on anybody's
19 part, but it is just a well known fact that serviced
20 land is valuable and the bigger the sewage plant
21 the more serviced land will be available for
22 somebody.

23 Q. That may be. The Region
24 also, through Mrs. Jones in her letter, I will
25 read the third paragraph:



1 "It is recognized that development
2 in the Town of Dundas shall be
3 directed in conjunction with the
4 proposed Sewage Treatment Plant
5 Programme even following the Plant
6 Expansion."

7 Now does that not suggest another motive, could
8 it not also be equally said that the expansion is
9 to treat more adequately the sewage that is not
10 now being adequately treated by the plant. Is
11 this not also an equally valid motivation?

12 MR.MORIARITY: Well I suppose so,
13 if you want to treat it more adequately but not
14 truly adequately.

15 MR. PLANT: Thank you.

16 THE CHAIRMAN: Any other questions?

17 A SPEAKER: It is just to enlarge
18 a little bit on what this gentleman has just said
19 about development. Yesterday there was - Mr.
20 Reichert suggested that the new plant which is
21 proposed could service development above the
22 escarpment and again I am not trying to suggest
23 that this is the motivation of the plant, but I
24 am just suggesting that there already is some
25 sort of pressure above the escarpment to expand



1 that area in an industrial way and in a residential
2 way and I am suggesting that perhaps there may be
3 some justification for the Sewage Treatment Plant
4 in order that development can continue by private
5 developers.

6 THE CHAIRMAN: Any further
7 comments?

8 Thank you. We will take a ten
9 minute break.

10 ---EXHIBIT NO.22: Clear Hamilton of Pollution(Incorporated)
October 21,1975.

11 --- Ten minute recess at 10:45.

12 -----

13 --- Upon resuming.

14 THE CHAIRMAN: Could we come
15 to order, please?

16 Again I may announce that anyone
17 who has not filled one of these forms, would they
18 please do so, whether you wish to participate
19 you may state or not.

20 Mr. Browne has some at the end
21 of the table.

22 We will now hear from Mr. Richard
23 Sabonan. Is he here?

24 Well he is not here.

25



1 Mr. John Don?

2 MR. DON: Mr. Chairman, I asked
3 a few questions yesterday and while I was in bed
4 last night I thought of another one or two and
5 I am not going to take too much of your time
6 because some others do too much of it. I notice
7 that, and there is no cheering group with me
8 today. No cheers please, thank you.

9 Now I live within a stone's throw
10 of the present Sewage Disposal Plant. I have been
11 a member of this Council for many, many years and
12 I am no longer a member, but sometimes they come
13 and ask me the odd question about the Canal. As
14 a matter of fact in the early years we were termed
15 down there the Canal rats, - we were termed the
16 Canal rats - but that stigma has left us now and
17 we live in a better locality.

18 Something has been said about the
19 odours from the Plant. I read in the newspaper
20 not too long ago that a lady in one or two streets
21 down from me, she is further removed from the
22 Plant than I am, but she could not hold a garden
23 party on account of the odours from that Canal.

24 Now I have been there for 34 years,
25 I think, and last year I held my sixtieth wedding



1 anniversary and I had two or three little tables
2 back in the backyard - and I am not going to tell
3 you what was on these tables - but we really
4 enjoyed ourselves and I never have had occasion
5 to postpone any entertainment that I wanted to
6 have by being near this Disposal Plant.

7 Now I am going to be brief because
8 so much has been said about Cootes Paradise. Now
9 who is polluting Cootes Paradise at the present
10 time? I have noticed on the waters there in our
11 own Canal, cigarette packages that were dropped
12 in in the City of Hamilton sewers, you see, and
13 they floated up with the wind right up into our
14 Canal basin here. Now that is a fact, I have
15 seen it, eh. So I am going to say no more about
16 that.

17 I would like the gentlemen from
18 Toronto, you know, from the Municipal Board -
19 we used to go there on some of our sojourns, Mr.
20 Mayor, and I got paid the greatest compliment
21 in my life at Queen's Park, believe it or not.

22 After the opposition had given
23 their statements, I asked the Chairman if I could
24 say a few words. I was Mayor at that time. And
25 in conclusion there was 21 members sitting on



1 that Board and do you know when the final vote
2 came, it came in our favour too. I am not going
3 to tell you what it was, it was a known fact here,
4 but when it came in our favour, the vote was 20
5 in favour of our side, so we did not too bad then.
6 And I loved the remarks of the Chairman at that
7 time, he said - "At least the Mayor has an honest
8 face". So that has lived with me for a long, long
9 time and take back this message to the Municipal
10 Board there, I do not know who is Chairman now,
11 but the Chairman at that time did very, very well,
12 he paid me a compliment, it stays with me until
13 the end of my life.

14 Thank you very much.

15 Now here is my little brief.

16 There it is. That is the length of it. All I
17 say here is this:

18 Environmental Hearing Board

19 Gentlemen:

20 The above home address is within
21 a stone's throw of the present Sewage Disposal
22 Plant. We have lived here since 1941. I had the
23 pleasure of being Mayor 1950-53, later I was given
24 a retiring job as industrial commissioner, for
25 many years. I still keep in close touch with local



1 || affairs.

2 Statements regarding odours from
3 Disposal Plant are frequently overdrawn.

4 I have been a resident of Dundas
5 for 50 years.

6 I think Dundas is in urgent need
7 of this extension, and I am quite in accord with
8 the present Council requesting this addition.

9 Thank you Mr. Chairman.

10 THE CHAIRMAN: Thank you Mr. Don.

11 MR. CATHCART: That will be
12 Exhibit 23.

14 --- EXHIBIT NO. 23: Brief presented by
Mr. John C. Don.

16 MR. DON: I will answer you any questions, but don't ask me too many.

18 THE CHAIRMAN: Any questions?

Well, thank you sir.

20

THE CHAIRMAN: Dr. Stanley Heshka.

DR. HESHKA: Members of the Board,
you have heard some comments about the concern of
the public in the area about the expansion of the



1 Sewage Treatment Plant and I believe I have some
2 data on that that may be of interest to you.

3 On the evening of Monday, January
4 13, 1975 as part of a research project conducted
5 in the Department of Psychology, McMaster University,
6 19 students and research assistants conducted a
7 door-to-door petition survey on the topic of the
8 expansion of the Dundas Sewage Treatment Plant.

9 The survey covered the area bounded
10 by, on the East: Longwood Road; on the South:
11 Highway 403; on the West: Rifle Range Road to
12 Main Street to Ancaster Creek; on the North: Cootes
13 Paradise, but excluding the McMaster University
14 Campus. In other words this was a survey of the
15 residents of Westdale and West Hamilton but not
16 including any residences on the campus of McMaster
17 University.

18 For those not familiar with this area,
19 this covers a strip of land approximately a mile
20 or a mile and a half wide, directly to the south
21 of Cootes Paradise.

22 I will give a brief description
23 of the manner in which the survey was conducted,
24 then report the results of the survey.

25 Preliminary lists of Electors



1 compiled during May 1974 for the electoral district
2 of Hamilton West were obtained from Mr. Joseph
3 Petrucelli, Returning Officer. From these lists
4 we selected 10 polling divisions: Nos. 123, 125,
5 127, 128, 129, 130, 132, 158, 161, 163. From the
6 polling division lists we selected streets within
7 each polling division and approached each dwelling
8 on each selected street. During a period of 2
9 hours, approximately 400 dwellings were approached.
10 The person who came to the door was told that the
11 student was working for a coalition of Environmental
12 groups to save Cootes Paradise and was asked to
13 sign the following petition:

14 "We the undersigned strongly
15 object to Regional Council's November 5th decision
16 to immediately expand the Dundas sewage treatment
17 plant. This decision, made without consideration
18 of the environmental effects of the plant, will
19 cause the death of Cootes Paradise. We urge the
20 council to rescind this decision. We alternatively
21 propose that any means of handling Dundas' sewage
22 be approved by the Hamilton Region Conservation
23 Authority and the Royal Botanical Gardens."

24 The major results of the survey
25 were as follows. Depending on the polling division,



1 one or more members of the household signed the
2 petition at between 80 and 95 per cent of dwellings
3 to which we gained admission. That is, in 351
4 households, one or more persons signed. At the
5 households where persons chose not to sign the
6 petition, the most frequent reasons for refusal
7 were 1) they did not believe that signing a
8 petition would have any effect; 2) they felt that
9 they were not adequately informed on the issue;
10 3) they could not speak and read English well
11 enough to understand the explanation of the person
12 at the door or to read the petition. A very small
13 number of persons, fewer than 10, stated that they
14 did not wish to sign because they approved of the
15 decision to expand the sewage treatment plant.

16 To summarize, in the 10 polling
17 divisions selected from Westdale and West Hamilton,
18 between 80 and 95 per cent of households objected
19 to Regional Council's decision to expand the Dundas
20 Sewage Treatment Plant. Fewer than 2 per cent
21 stated that they supported the decision.

22 I would interpret the results of
23 this survey as indicating a substantial opposition
24 to the continued deterioration of Cootes Paradise
25 and an endorsement of the values and goals of



1 environmental organizations such as the Royal
2 Botanical Gardens and the Hamilton Region Conserva-
3 tion Authority. On the basis of this evidence I
4 submit that the overwhelming majority of residents
5 in the area surveyed do not believe that the
6 expansion of the Dundas Sewage Treatment plant is
7 in their interest.

8 That completes the written
9 submission.

10 Attached to that are 43 petition
11 forms containing 692 signatures, 490 of which were
12 collected during this survey.

13 I have submitted a copy of the
14 brief and the petitions to the Chairman.

15 THE CHAIRMAN: That will be
16 Exhibit No. 24.

17 --- EXHIBIT NO. 24: Brief presented by
18 Dr. Stanley Heshka
19 with attached petition forms

20 DR. HESHKA: I wish to make two
21 comments on this petition survey. The first is
22 that this petition survey was part of a larger
23 petition drive, that was conducted by a person
24 in the Psychology Department, and it is my
25 impression that well over 10,000 signatures were



1 collected. These petitions were submitted to
2 someone, I believe - I am not sure who - I would
3 imagine it would have been the Chairman of the
4 Regional Council. It may have been someone else,
5 unfortunately the person who submitted these
6 petitions is somewhere in Northern Alberta and we
7 cannot find out exactly where they were submitted.

8 I hope the members of the Board
9 are aware that such a petition, collection of
10 petitions was submitted, was certainly collected,
11 and if there is no record of it having been
12 submitted somewhere, and someone does not
13 acknowledge having received these, then I can
14 attempt to get in touch with the person who
15 collected them and find out where they were
16 submitted.

17 I would just like the members of
18 the Board to know that there was a large number
19 of signatures and it is my impression that the
20 number was over 10,000.

21 THE CHAIRMAN: Where were these
22 people living?

23 DR. HESHKA: The petitions were
24 collected on the campus of McMaster University,
25 in supermarkets around the area, of Hamilton West,



1 possibly Dundas also, areas, in the Medical
2 Centre of McMaster University.

3 THE CHAIRMAN: Thank you.

4 MR. VENCHIARUTTI: What was the
5 question asked?

6 DR. HESHKA: The question asked,
7 as I stated in the brief, the person who came to
8 the door was told that the student was working
9 for a coalition of Environmental groups to save
10 Cootes Paradise and was asked to sign the following
11 petition. And then I read the text of the
12 petition.

13 MR. VENCHIARUTTI: Read it again.

14 DR. HESHKA: "We the undersigned
15 strongly object to Regional Council's November 5th
16 decision to immediately expand the Dundas sewage
17 treatment plant. This decision, made without
18 consideration of the environmental effects of the
19 plant, will cause the death of Cootes Paradise.
20 We urge the council to rescind this decision. We
21 alternatively propose that any means of handling
22 Dundas' sewage be approved by the Hamilton Region
23 Conservation Authority and the Royal Botanical
24 Gardens."

25 THE CHAIRMAN: Was that same



1 statement on the larger survey?

2 DR. HESHKA: Yes, those were
3 the same petition forms, and the reason why the
4 number of signatures on those petition forms
5 does not correspond to the number we collected
6 in this survey, was that we used the same petition
7 forms and many of them already had signatures
8 from other areas.

9 THE CHAIRMAN: Any further
10 questions?

11 DR. HESHKA: There is a second
12 comment and that is with respect to the meaning
13 of "object to the immediate expansion of the
14 Dundas Sewage Treatment Plant". At the time it
15 seemed reasonable to us to word the petition in
16 that manner.

17 At the time, as I remember, there
18 was not much publicity given to the possibility
19 of a tertiary treatment plant and so expansion
20 of the sewage plant essentially meant, I believe,
21 for the public at the time who were approached,
22 meant that it would result in an increase and
23 continued deterioration. An increase in the
24 sewage or the phosphates and nitrates in the
25 water and continued deterioration.



1 I believe if we were doing the
2 survey today, we possibly would word it somewhat
3 differently in order to be able to distinguish
4 between objections to the expansion of the
5 increased growth in the Town of Dundas, and the
6 consequences for the body of water.

7 MR. VENCHIARUTTI: Do you think
8 most people got the impression that if the plant
9 was not expanded, suddenly Cootes Bay would
10 improve because you just dwelt on the expansion
11 of the plant. I mean in all fairness too ---

12 DR. HESHKA: Well I cannot speak
13 for the people - for what the people we approached
14 believed. My recollection of the publicity
15 given at the time was that it was known that
16 when there was heavy rainfalls, the present sewage
17 plant did overflow and that raw sewage went into
18 the Bay.

19 MR. VENCHIARUTTI: Because there
20 are other sources of pollution going in. Yes.

21 THE CHAIRMAN: Any questions?

22 MR. PLANT: Just one brief
23 question.

24 Would you say that your survey
25 was an impartial survey?



1 DR. HESHKA: No, it was definitely
2 not an impartial survey, it was conducted in the
3 sense that we were collecting signatures for this
4 petition and it was certainly presented by a
5 person who was working for a coalition ---

6 MR. PLANT: You were trying to
7 support a position?

8 DR. HESHKA: We were collecting
9 signatures for the petition. As a byproduct we
10 obtained data as to how many - what percentage of
11 the households we approached endorsed the petition.

12 MR. PLANT: Could I have a copy
13 of the brief?

14 DR. HESHKA: Well I will give you
15 the last copy I have.

16 MR. PLANT: Thank you.

17 THE CHAIRMAN: Gentleman at the
18 back?

19 A SPEAKER: You stated that the
20 technical survey in certain areas - you didn't
21 mention Dundas itself, you said a possibility of
22 the Dundas area being surveyed. Could you answer
23 why, for example, the north side of the sewer
24 plant, why it was left out?

25 DR. HESHKA: I would like to



1 clarify that. We did not say we surveyed Dundas.
2 The survey covered the area of Westdale and West
3 Hamilton within the boundaries I have described.

4 In response to a question from the
5 Chairman as to where the signatures for the major
6 petition drive was carried on, where those signatures
7 were collected, I said I believe that some of the
8 students set up tables in supermarkets and shopping
9 plazas, some of which may have been in Dundas.

6 10 So I would not like to say they
11 covered the area representatively, I was simply
12 saying where the signatures were collected.

13 A SPEAKER: You said earlier in
14 your statement that you made a door-to-door survey,
15 it seems to me you went all the way around Cootes
16 Paradise except for this particular area. Why
17 was it left out?

18 DR. HESHKA: It is not true we
19 went all around Cootes Paradise. As I say, we
20 covered a strip of residences extending approximately
21 a mile and a half south of Cootes Paradise. That
22 strip of land were the residences of West Hamilton
23 and Westdale. We did not intend to cover the
24 area north of Cootes Paradise.

25 A SPEAKER: Thank you.



1 THE CHAIRMAN: Any other
2 questions of this witness?

3 Well thank you, Dr. Heshka.

4 -----
5

6 THE CHAIRMAN: Chris Priest
7 representing the Ontario Public Interest Research
8 Group.

9 MR. PRIEST: I am a member of
10 OPIRG which is a group that operates from McMaster
11 campus called Ontario Public Interest Research
12 Group and what we have as our mandate, we do
13 research in the public interest, and because of
14 this people have been concerned about the expansion
15 of the Dundas Sewage Treatment Plant, mainly
16 because they feel that it lacks the necessary
17 tertiary treatment to remove the nutrients, which
18 according to the ecological situation, adversely
19 affect the quality of life in the Hamilton-
20 Wentworth region.

21 What we are concerned about, or
22 what we are presenting our brief to, is the
23 deterioration in the quality of life and have not
24 attempted to do studies on the water quality or
25 the engineering capacity of the plant. We are



1 just presenting basically public opinion.

2 What I am saying is, I have been
3 paraphrasing the brief, is it correct I can
4 paraphrase it or should I read it directly?

5 THE CHAIRMAN: Whatever you wish.

6 MR. PRIEST: One of the points
7 we would like to point out is that the Ministry
8 has a study that is going through the completion
9 stage and we feel it is in sort of a bad aspect
10 at the hearings at this time before that study
11 can be completed, because we feel that that study
12 could have vast effects on the final decision
13 taken by this Board.

14 The separation of the hearing
15 into two parts, the outflow pipe and the sewage
16 treatment plant, is apparently degenerated into
17 being the outflow pipe as a necessity being
18 considered here. And so I wonder whether this
19 whole argument will have to be repeated again
20 at the other time when new information has been
21 presented. We are quite concerned that the timing
22 was that bad.

23 What we have to say is that Dundas
24 is apparently becoming a high growth area. The
25 gentleman from the region was stating that the



1 sewage plant has 4 million gallons capacity that
2 is expected to last up to 1985, and then allow
3 a minimum growth after that point. That certainly
4 does sound like a high growth, with doubling in
5 ten years, less than 10 years with a two-year
6 period allowed for making the plant operational.

7 The amount of growth has been
8 suggested, will provide enough nutrients into
9 the area to cause a further degeneration of the
10 ecological situation and it is because of this
11 degeneration that we are feeling the quality of
12 life would be affected. The valid arguments
13 have been presented for the degeneration.

14 Cootes Paradise is in part a
15 Wildlife Sanctuary and to classify an area with
16 this title brings with it certain responsibilities.
17 The avoidance of these responsibilities would
18 affect many animal species. This effect may
19 become more extreme as future development removes
20 alternative unprotected marsh areas from habitation.
21 This would affect the lives of local and distant
22 peoples. These responsibilities to protect nature
23 become stressed by the observation of Whooping
24 Cranes in Cootes this spring. This species
25 symbolizes one of man's many attempts to preserve



1 nature and the associated quality of life. It
2 is for this reason that we request a decision
3 requiring tertiary treatment from this Board or condit-
4 ions to be placed on the final conditions that
5 prevent the granting of building permits until
6 the environmental report and the final completion
7 of the outflow pipe.

8 I would like to clarify the
9 Whooping Cranes. We have had many reports of
10 Whooping Cranes but I have not yet been able to
11 find one that actually justifies that. There are
12 blue Herons in the area and it has not been
13 reported in the newspaper, so I may have to delete
14 that from the report. I just heard that from
15 many word of mouth people, some of the students
16 have told me that. So I am afraid it might have
17 to be deleted.

18 Recreation facilities also border
19 on Cootes Paradise. Princess Point, which is a
20 major recreation facility, is a quiet picnic area
21 beside the marsh. The usefulness of this area
22 is severely reduced by the surrounding water
23 quality. In 1970 bacteria counts of 130,571 were
24 found in the Desjardins Canal. This is over 50
25 times the accepted 2,400 bacteria counts per 100 mls.



1 These counts were cause for caution in the use
2 of these facilities. This and the occasional odour
3 should cause many people to avoid this as a family
4 recreation site. Will people returning to the area
5 seeing the same cloudy water because of the
6 nutrients, assume the Dundas sewage plant in its
7 enlarged state will have removed the bacteria
8 from the water? We tend to doubt that this will
9 be true.

10 What must be done to make this a
11 valid recreational area, is that the water quality
12 must be brought up to a valid level that can be
13 considered useful.

14 I asked the gentlemen from the
15 Conservation Authority, how much water frontage was
16 owned by the City of Hamilton in the City. You
17 can see from the map the amount of water area that
18 is bordering on the City and that there is no
19 recreational facilities that use this waterfront
20 I think is just a gross amount of planning
21 on an action by the City and the Region.

22 There is actually 45 feet of frontage
23 in the form of two road allowances that enter on
24 to the water, but if any citizen within the City
25 of Hamilton, which could be selected by many



1 people because it borders on the lake, they have
2 no ability to use the waterfront unless they go
3 to Princess Point. It is because of that reason
4 that we feel that Cootes Paradise must be brought
5 up to being a valid, ecological situation where
6 limited resources can be used.

7 This is presently separated into
8 both a recreational area and a wildlife area
9 with recreation being allowed on the easterly
10 portion of it near the Bay.

11 Now just in summary - well I have
12 said what I have to say.

13 There is one point I wanted to
14 bring out. In the Globe & Mail on October 18,
15 and it lists the amount of green spaces per 1000
16 population in the urban core, and it lists Hamilton
17 as being 6.3 acres of green space, and it says
18 the accepted target for Town and City Planners is ten
19 acres per 100,000 population and that on this list
20 Hamilton is better than only three other of the
21 major cities in Canada.

22 It is for this reason also that
23 Hamilton and Wentworth makes - I am sorry - it
24 is for this reason that we require that this
25 green space be preserved for recreational facilities.



1 The destruction of further facilities at the same
2 time is increasing the amount of growth in Dundas
3 seems to certainly produce a degeneration in the
4 life that is expected.

5 THE CHAIRMAN: Any questions?

6 A SPEAKER: What is the purpose
7 of the green space?

8 MR. PRIEST: That is all parks
9 in the area that allows for people, you know, if
10 you have a small home, you have to have a green
11 space and it is just the parks, any recreational
12 facility.

13 A SPEAKER: That would include
14 all conservation areas around?

15 MR. PRIEST: Yes.

16 MR. JOEL CHAPPEL: You said
17 there was some point you wanted to delete from
18 your brief? You were referring to Herons or
19 something?

20 MR. PRIEST: I was referring to
21 the whooping cranes. I wanted to verify that
22 whooping cranes were at the scene. That only
23 came through word of mouth, 10 or 12 different
24 people.

25 MR. CHAPPEL: In the spring,



1 there was the sand hill crane - local birds - it
2 is a sand hill crane.

3 MR. PRIEST: Well, we could change
4 that in the brief.

5 --- EXHIBIT NO. 25: Brief presented by Mr.
6 Priest on behalf of the
7 Ontario Public Interest
8 Research Group

8 -----

9
10 THE CHAIRMAN: Has Mr. Sabonan
11 returned yet?

12 Mr. Linsky?

13 MR. LINSKY: I am here representing
14 the environmental studies class of Dundas Highland
15 High School. I just want to say we are in
16 complete support of Parkside Secondary High
17 School on the environmental studies class.

18 THE CHAIRMAN: Thank you very
19 much.

20 -----

21
22 THE CHAIRMAN: We will now deal
23 with the Royal Botanical Gardens.

24 Mr. Lamoureux?

25 MR. LAMOUREUX: Mr. Chairman and



1 members of the Board, I have two copies of what I
2 call a summary of what I would like to talk about
3 and I can hand those to Mr. Cathcart at the present
4 time.

5 We appreciate this opportunity to
6 speak before the Board. I might say, personally,
7 that I am a Conservationalist and a Co-ordinator
8 of Education for the Botanical Gardens. As
9 Conservationalist I have been in charge of the
10 Cootes Paradise since 1952 and I have been
11 entrusted with this duty by the Board of the
12 Botanical Gardens.

13 I have given Mr. Browne three
14 copies of the Annual Report of the Botanical
15 Gardens in which is outlined the Board members
16 of the R.B.G. and representation where they come
17 from.

18 I might say that one of those
19 Board members has built a tertiary treatment plant
20 at Markham, Mr. Bill Schwenger. The ownership of
21 the Botanical Gardens came to the Board mainly
22 from the Hamilton Parks Board. The land was
23 acquired earlier on in the century and turned
24 over to the Botanical Gardens from the Parks Board
25 around the forties.



1 Cootes Paradise as we see it and
2 the staff include not only the aquatic areas but
3 also the land areas to the north and to the south
4 of Cootes Paradise, and to the west. These areas
5 include ravine land, marshland, some of it is
6 still agricultural land, and also to the north
7 of Cootes Paradise is the Botanical Gardens arboretum,
8 which is a project dealing with woody plants, all
9 kinds of woody plants have been placed in the
10 arboretum for public use and also for educational
11 purposes.

12 I give you this background to give
13 you an idea of some of the public use of Cootes
14 Paradise. As far as natural areas are concerned,
15 we have nature trails on the north shore of Cootes
16 Paradise and on the south shore, nature trails are
17 used by members of the public whether they are
18 bird watchers, whether they are botanists, we
19 have professional botanists that come to the Gardens
20 to study plants; they may be school classes, the
21 report will show how many school classes come
22 to the Gardens each year. Some of them are to do
23 water studies, some to do ecological studies and
24 so forth.

25 On the south - I'm sorry - on the



1 north shore trails are used by approximately 50,000
2 people each year. Now it is very hard for us to
3 give you a hard figure on this, but we had the
4 geography department of McMaster do a
5 survey a few years back, and this was the number
6 that they came up with.

7 The south shore is used somewhat
8 less, although used a great deal by the Chairman
9 of the Regional Council, Mrs. Jones. It is used
10 by approximately 25,000 people.

11 Then the arboretum uses over top
12 of that.

13 Before I go any further I would
14 like to say that we find it very helpful to have
15 the Ministry offices regionally. Before we had
16 to go to Toronto every time we wanted to discuss
17 something, and I would like to commend the regional
18 staff, Mr. MacFarlane and the regional staff of
19 the Ministry for the understanding and sympathy
20 that they have shown for Cootes Paradise and I
21 think this will continue.

22 I think it must be very helpful to
23 the region also to have this kind of staff
24 locally.

25 I sent earlier, a week ago, to



1 Mr. Browne, some documents were sent that had
2 been prepared by the Botanical Gardens staff and
3 by the Board. In January of 1974, a brief was
4 sent to the Ministry of the Environment regarding
5 Cootes Paradise and the conditions as the Board
6 and the staff saw them, and also we drew upon
7 Dr. Harris's information. Dr. Harris and Mr. Bacchus
8 information about Cootes Paradise and the water
9 quality.

10 We have a second brief that was
11 presented to Regional Council about Cootes
12 Paradise, I believe that was later on in '74
13 and we feel that this brief to the Regional Council
14 was instrumental in perhaps getting the study
15 underway, the study that is underway now, at
16 least partly instrumental in getting the Regional
17 Council to ask the Ministry of the Environment
18 to conduct this study of Cootes Paradise.

19 THE CHAIRMAN: I think we
20 better file these, Mr. Lamoureux.

21 What was the first one, the brief
22 to the Ministry of the Environment?

23 MR. LAMOUREUX: Yes, in January
24 of '74.

25 MR. CATHCART: That will be



1 Exhibit 26.

2 THE CHAIRMAN: First we will file
3 the report.

4 MR. CATHCART: The brief that
5 Mr. Lamoureux is presenting now, and the report
6 is Exhibit 26 and Exhibit 27.

7
8 --- EXHIBIT NO. 26: Summary of presentation
9 submitted by Mr. Lamoureux,
10 Conservationist and Co-ordinator of Education of
the Royal Botanical Gardens

11 --- EXHIBIT NO. 27: Brief presented to the
12 Ministry of the Environment
13 by The Board of the Royal
Botanical Gardens, January 8,
14 1974

15 THE CHAIRMAN: All right, the
16 Brief to the Regional Municipality will be 28.

17 --- EXHIBIT NO. 28: Brief presented to the
18 Regional Municipality of
Hamilton-Wentworth by
19 Royal Botanical Gardens

20 THE CHAIRMAN: Your Water Quality
21 Goals ---

22 MR. LAMOUREUX: I would like to
23 read portions of that into the record, if I may.

24 THE CHAIRMAN: Do you wish to
25 file that?



1 MR. LAMOUREUX: Yes.

2 THE CHAIRMAN: That will be 29.

3 Policy and Objectives will be 30.

4
5 --- EXHIBIT NO. 29: "Water Quality Goals for
6 Cootes Paradise"

7 --- EXHIBIT NO. 30: Royal Botanical Gardens
8 Policy and Objectives for
9 Cootes Paradise

10 THE CHAIRMAN: Do you wish to
11 file the report? - No, that is some other material.
12 I guess your covering letter will be Exhibit 31.

13 --- EXHIBIT NO. 31: Letter dated October 9,
14 1975 to Mr. H. Browne from
15 Mr. W. John Lamoureux,
16 Royal Botanical Gardens

17 MR. LAMOUREUX: In May of 1975
18 the Gardens Board or Task Force of the Gardens
19 Board and staff prepared what is called "Policy
20 and Objectives for Cootes Paradise" and this was
21 endorsed by the Board and later was sent to
22 Regional Council and then the Regional Council
23 endorsed this in principal also.

24 I would like to read a section from
25 this into the record.

On page 2 of the Brief, and it is



1 called "Objectives for Cootes Paradise".

2 Being in the heart of an urban
3 environment, enormous stress has been, and will
4 be thrust on Cootes Paradise. This stress is
5 inevitable, but it is the responsibility of the
6 Royal Botanical Gardens to ensure that it does
7 not result in disaster for this sensitive natural
8 area. In recognition of this, three principal
9 objectives have been established for Cootes Paradise
10 by R.B.G. -

11 1. First and foremost, to maintain this water
12 and marsh habitat with contiguous lands as
13 a wildlife sanctuary, by protecting the
14 integrity of habitats for a rich variety
15 of flora and fauna through a firm stand on
16 all activities which interfere with diverse
17 ecological interactions and militate against
18 such a preservation policy.

19 2. To provide limited public access and inter-
20 pretative facilities for public education
21 and quiet appreciation only to an extent
22 consistent with objective No. 1, above.

23 3. To continue to provide reasonable aquatic
24 habitat - sorry - reasonably natural aquatic
25 and terrestrial habitats for studies in



1 environmental science by students at all
2 levels.

3 The next section I would like to
4 enter into the record, on page 8 of that Policy
5 statement, and it is entitled "Royal Botanical
6 Gardens' Policy for Cootes Paradise".

7 WATER QUALITY

8 The firm decision has been made that no effort
9 will be spared to ensure the best possible
10 water quality in Cootes Paradise. R.B.G.
11 has taken the position that the outfall from
12 any sewage plant must either by-pass Cootes
13 Paradise, or be of such a nature that it is
14 ecologically acceptable to this shallow,
15 fragile marsh habitat. Furthermore, all
16 in-flows and other sources of pollution are
17 to be identified and monitored, with the
18 objective of making such ecologically acceptable.
19 In this regard specific water quality goals
20 for Cootes Paradise are being established by
21 R.B.G.

22 In summary, the policy statement
23 reads as follows:

24 The Board has reaffirmed its position that
25 Cootes Paradise is first and foremost, and



1 must continue to be a MANAGED WILDLIFE SANCTUARY
2 (the sanctuary concept relates to both plant
3 and animal life). If we do not take a firm
4 stand on this now - the opportunity may never
5 present itself again.

6 To ensure its perpetuity as a Wildlife
7 Sanctuary, R.B.G. is demanding the best
8 possible water quality consistent with the
9 requirements of Cootes Paradise as a Wildlife
10 Sanctuary. We are told that anything is
11 possible in terms of water quality if there
12 is the will to pay the price.

13 Water quality goals are being established
14 which will relate to the long term require-
15 ments of specific plant and animal indicators
16 which are normally a part of a viable aquatic
17 habitat in Southern Ontario. It is the
18 Board's intent to ensure, through regular
19 monitoring, that such water quality standards
20 are being achieved for all water inflows
21 into Cootes Paradise.

22 Furthermore to retain the sanctuary concept
23 in perpetuity, we must expect that there may
24 be parts of this natural area to which the
25 public will not be invited and in which



1 facilities, such as trails, observation
2 towers, etc. will not be provided. On the
3 other hand, we do intend to deal positively
4 with all opportunities to enhance this
5 habitat for wildlife in the broadest sense.
6 The total policy which has emerged has a
7 very simple basic philosophy which can be
8 stated in these terms - if Cootes Paradise
9 is to remain a satisfying place in which
10 people can maintain contact with nature,
11 it must first be a viable wildlife sanctuary,
12 and must remain such.

13 OTHERWISE WHY WOULD PEOPLE GO THERE?

14 The next section I would like to
15 read into the record was established in 1975 also
16 under the heading of "WATER QUALITY GOALS FOR
17 COOTES PARADISE". This was prepared again by
18 the staff of the Task Force of the Board and
19 presented to the Board for approval and to the
20 Region for approval.

21 The sections I would like to read
22 into the record, the first one is USE GOALS:

23 "The objective is to ensure that Cootes
24 Paradise becomes a suitable aquatic habitat
25 for the following natural biological



components, for aquatic biological studies
and for specific limited aspects of public
recreation.

1. For Resident Organisms

The aquatic habitat of Cootes Paradise must
be made suitable for the needs of a full
range of resident organisms common to similar
habitats in Southern Ontario, including birds,
animals, amphibians, invertebrates and plants.
Advanced pollution reduces diversity; the
goal here is to achieve diversity in these
components through water quality improvement.

2. For Migratory Birds and Spawning Fish

Cootes Paradise, with other major natural
aquatic areas, plays an important role in
successful bird (particularly waterfowl)
migration, in both spring and autumn. Water
quality influences the production of food
and cover for migrating waterfowl.

Both native and introduced lake fish enter
Cootes Paradise and its tributaries to
spawn. Water quality must be conducive to
their survival and for the survival of fry
which hatch and journey back to Lake
Ontario. Water quality must be such that



Cootes Paradise can play its part in
regeneration of fish serving the resurgence
of fishing in Lake Ontario.

3. For Aquatic Studies

Present high coliform counts in the inflows
of Chedoke Creek and upper Desjardins Canal
prevent any use of these areas for aquatic
studies beyond those of researchers trained
to work in polluted waters. Water quality
must be such that school classes and the
public on interpretive excursions will not
contract skin diseases or infections in
handling specimens or by dipping into the
water.

4. For Recreation

While it is not suggested that the waters
of Cootes Paradise meet the standards of
total immersion sports, coliform counts
must be drastically lowered for quiet boating
to be encouraged without health hazard.

Now on page 4 of the Water Quality
statement, the Botanical Gardens in co-operation
with the Ontario Ministry of Natural Resources,
Ontario Ministry of the Environment, 'Water Quality
Criteria', State of California and Dr. Graham Harris,



1 of McMaster University were the groups or
2 individuals consulted to establish these water
3 quality criteria.

4 Mr. Chairman, do I need to read
5 these or would these normally be put into the
6 record, without that?

7 THE CHAIRMAN: Well you have
8 filed them so they are in the record. If you wish
9 to emphasize them by reading them or paraphrasing
10 them, that is entirely up to you.

11 MR. LAMOUREUX: I will just
12 summarize.

13 Chlorophyll. These are the upper
14 limits that we are suggesting, or other ways of
15 establishing water quality goals. The chlorophyll
16 maximum for Cootes Paradise from May to October,
17 be 50 mg. per m³.

18 The section on Ammonia is rather
19 long, but we are suggesting a bio-assay system
20 for the Chedoke Creek at the Dundas Treatment
21 Plant and on Spencer Creek.

22 The Turbidity levels we are
23 working towards should be less than 25 Jackson
24 units;

25 And that the Biochemical Oxygen



1 Demand - B.O.D. be not over 5 mg/L.

2 Dissolved Oxygen, the figures that
3 we have here, were required from the Ministry of
4 the Environment and the suggestion is that the
5 dissolved oxygen level between 2 - 5 mg/L is
6 essential for the kind of fish, such as small mouth
7 bass or yellow pickerel in Cootes Paradise.

8 Coliforms perhaps are not too great
9 a problem as far as fish and wildlife are concerned,
10 but they do indicate pollution and therefore
11 should be considered.

12 Pesticides are well covered in
13 the Guideline and Criteria for Water Quality
14 Management in Ontario, by Newman and Biggs, and
15 the R.B.G. would go along with these pesticide
16 levels as established.

17 The question of Chlorine in the
18 water, the effluent from any treatment plant,
19 contains chlorine and concentrations of .11 to .13
20 mg/L over a period of days have been harmful to
21 fish. And these are the sort of figures in
22 Chlorine that we would have to work towards.

23 The R.B.G. is not sure that
24 Cootes Paradise can assimilate the effluent
25 from even a very good, well managed secondary



1 treatment plant, either in the short term or the
2 long term. The reason why we say this is because
3 there are a tremendous number of identified
4 B.O.D. sources already in Cootes Paradise.

5 I was going to point these out to
6 you on the map, but since the map is over there
7 it is going to be difficult, so I will just read
8 them off.

9 Chedoke Creek which is in the
10 lower righthand corner, seepage from the West End
11 Dump which comes in there. Seepage from old
12 deposits of sewage sludge goes back a number of
13 years, wash from industrial plants and from highways,
14 from streets parking areas and residential
15 areas.

16 The problem with Chedoke - I should
17 not say the problem - but Chedoke was designed
18 mainly as a watercourse to remove flood waters
19 from 403. Consequently it is very deep and very
20 wide and there is hardly any flow through there
21 at all.

22 Section (b), accumulation of
23 sewage sludge in Princess Point Bay. Princess
24 Point Bay is just to the right and below Princess
25 Point. There is accumulation of sewage sludge



1 in there that dates back previous to the present
2 collector to Woodward Plant and the sludge, the
3 period that these were accumulating I have circa
4 1920 to 1970; so there are substantial amounts
5 of sludges in that area.

6 (c) Westdale Ravine, which is a
7 re-entrance on the south shore which goes down
8 off to the left. There is storm water overflowing
9 from the Sterling Avenue sewer. When there are
10 heavy rains, there is diluted sewage coming into
11 the Westdale Ravine area. There are also tremendous
12 layers of organic material, 30 feet of material in
13 there that has settled out, it is a natural
14 deposit, but it is still a problem as far as
15 B.O.D. is concerned.

16 Much of the remainder of the South
17 Shore Trail is wooded but still there are leaves,
18 a tremendous amount of leaves falling in and
19 great deposits of leaves and dead trees, this
20 sort of thing, all the way along the South Shore.

21 McMaster operates parking lots
22 on the South Shore and there will be wash from
23 those.

24 (e) Going on with B.O.D. in
25 Cootes Paradise.



1 In the south west corner of Cootes Paradise
2 there are extensive organic deposits in the
3 delta of the Old Spencer Creek, decayed trees,
4 emergent and floating leaf plants in decay,
5 many areas of marsh contain at least 12 inches
6 of decaying plant material.

7 This is in the area to the left
8 of the word "Cootes", that is a marshy area in
9 that section.

10 Desjardins Canal. We have already been told
11 about - the accumulation of sewage ~~sludge~~ in the
12 area and natural organic deposits. So there are
13 more than organic deposits going in that area
14 that pre-date human occupation.

15 Hopkins Creek - sorry - The Desjardins Canal
16 also drains two landfill sites which are out of
17 view on this map, probably, in the Dundas area.

18 Hopkins Creek, coming down from
19 the north of Cootes Paradise, contributes organics
20 from farmland and parkland in the watershed.

21 New Dundas dump can be expected to seep into
22 Hopkins Creek. The dump is partially on the
23 Hopkins Creek - a small section of the dump is
24 on the Hopkins Creek flood plain.

25 Most of the North Shore of Cootes



1 Paradise is wooded, but it still contributes
2 leaves, dead trees, all that sort of thing you
3 normally find falling into a marsh and they are
4 all there.

5 Under section (j). There is
6 considerable 'background' B.O.D. from plants
7 which have died normally. These are emergent
8 aquatics, algae, phytoplankton and so forth, and
9 since the philosophy of the Treatment Plant in
10 Dundas and also elsewhere is to use plants to
11 assimilate nutrients, we must expect that those
12 plants that have grown from the nutrients, when
13 they die there is B.O.D. component there, and
14 this is very significant in West Pond and in
15 other sections.

16 There is also 'Background' B.O.D.
17 from dead fish, which in the spring amounts to
18 thousands of alewives which come into Cootes
19 Paradise and spawn and die, along with carp,
20 suckers, and all kinds of fish and animal life
21 that live in Cootes Paradise; and when they die
22 then it is a question of B.O.D.

23 Dr. Harris touched on the question
24 of loadings, what were permissible loadings for
25 Cootes Paradise, and I think a lot of research is needed



1 on this, yet I am not disputing his figures,
2 but I think he has started us off on a new track.
3 We were thinking in terms of concentrations of
4 nutrients but we should also think in terms of
5 total loading of nutrients.

6 The question that comes to the
7 Board and to the staff of the Gardens is whether
8 Cootes Paradise is expected or whether the answer
9 to sewage problems for the Ancaster and Dundas
10 area is Cootes Paradise. And whether we can pile
11 these B.O.D. amounts on top of each other and
12 still expect Cootes Paradise to be a viable
13 wildlife sanctuary. The Ministry's studies in
14 this area should contribute considerably to our
15 knowledge in this area.

16 The Gardens' Board cannot really
17 advise on what the answers to these are, to the
18 question of sewage lagoons or tertiary treatment, a
19 bad tertiary treatment plant, I think, could do
20 Cootes Paradise as much harm as a good secondary.
21 So it is a matter of technology, I think, at
22 this time and we are not experts in technology.

23 R.B.G. is prepared to do its part.
24 We are budgeting - we do not feel that the Ministry
25 can continue to sample and monitor the water



1 quality of Cootes Paradise indefinitely, so we
2 have established a budget for ongoing water sampling
3 systems. We are planning to restart the carp
4 control that Cootes Paradise has been criticized
5 a good deal for, which makes the water unpleasant
6 looking, and we are proposing to restart carp
7 control programme and we would also - there are
8 also suggestions of some well researched habitat
9 improvement projects for Cootes Paradise.

10 10. R.B.G. realizes that more people
11 need living space. Living space is more than
12 housing, it includes the total environment. Cootes
13 Paradise as a healthier natural community fills
14 a need for man and wildlife. Cootes Paradise as
15 a polluted degraded area produces shame and anger.

16 The R.B.G. needs help from this
17 Board in deciding what needs to be done and how
18 it should be done, but we would urge you to
19 suggest to the Ministry that this should be
20 considered as an experimental area, that research
21 continue, that even perhaps the best secondary
22 treatment plant is not the final answer, and we
23 must find solutions for this kind of a situation
24 where you have effluent coming into a marshy
25 area, where very poor dilution takes place which



1 already has a tremendous load of B.O.D. naturally
2 in the area.

3 Basically, we would like to
4 suggest that further study and experimentation
5 continue in Cootes Paradise with this sewage
6 treatment problem.

7 MR. VENCHIARUTTI: Would you have
8 any idea what percentage of the overall pollution in Cootes,
9 from all sources would be contributed
10 from the plant, either in the present or in its
11 improved condition - just generally. Do you
12 have any idea of those figures?

13 MR. LAMOUREUX: This is compounded
14 by the material that is coming in the Spencer.
15 The conditions in West Pond, it is a mixture of
16 natural B.O.D. that is very high plant growth in
17 there and also the nutrients coming in, and also
18 at this time we are told there is raw sewage also
19 coming in.

20 Chedoke Creek, we have an
21 accumulation material that has come from old sewage
22 deposits and this sort of thing.

23 MR. VENCHIARUTTI: If you isolate
24 the plant itself from everything else, do you
25 have any idea of the relative relation - what



1 percentage the plant itself contributes to the
2 overall problem in Cootes Bay - or Paradise?
3 Do you have any idea?

4 MR. LAMOUREUX: No, I really
5 could not answer that.

6 THE CHAIRMAN: Any other questions
7 of Mr. Lamoureux?

8 MR. PLANT: Just one question.
9 Mr. Lamoureux presented a very good report.
10 I would like to ask a question.

11 You indicated at the beginning,
12 I believe, that the Botanical Gardens is a very
13 popular attraction for some 75,000 people a year,
14 they are attracted to that area?

15 MR. LAMOUREUX: In the natural
16 areas alone in Cootes Paradise, but there are
17 other natural areas as well.

18 MR. PLANT: And this includes
19 the activities of the Royal Botanical Gardens?

20 MR. LAMOUREUX: Yes, organized
21 tours and so forth.

22 MR. PLANT: Can I ask what
23 sanitary facilities are provided?

24 MR. LAMOUREUX: As a nature
25 centre, we have septic systems there and at Princess



1 Point we have been granted permission by the
2 Regional Health Department to place two Johnny-on-
3 the-Spot, two portable toilets at Princess Point.
4 These are there during the summer months, and
5 then removed after that.

6 In the rock garden itself, is on
7 a septic system, a number of people use the rock
8 garden for sanitary purposes. Basically I think
9 you would have to say that most of our facilities
10 are on septic systems.

11 MR. PLANT: Is it possible that
12 this in some way has contributed to the B.O.D.
13 input into Cootes Paradise?

14 MR. LAMOUREUX: Well the nature
15 centre would be the closest and that is not very
16 likely. I mean seepage is seepage, you know.

17 MR. PLANT: Thank you.

18 MR. REICHERT: Mr. Lamoureux,
19 if you could explain a bit which you meant by
20 tertiary treatment, perhaps not being as good as
21 a good secondary treatment. I am not sure I got
22 the context.

23 MR. LAMOUREUX: I think that
24 was a remark - a poor tertiary treatment could be
25 worse than a good secondary.



1 MR. REICHERT: In other words,
2 one that was built and not operating as it was
3 expected to?

4 MR. LAMOUREUX: Yes, as it was
5 expected to. In other words, I am not trying to
6 push tertiary necessarily, because it may not be
7 the right solution. That is what I was trying
8 to say.

9 MR. REICHERT: Thank you.

10 THE CHAIRMAN: Any other
11 questions?

12 A SPEAKER: This B.O.D., that
13 means anything living in the water, using up
14 oxygen, fish and that?

15 MR. LAMOUREUX: Yes.

16 A SPEAKER: What is this carp control?

17 MR. LAMOUREUX: It is an attempt
18 to prevent - the carp when they come in, they spawn,
19 they root out a considerable amount of plant
20 material and also stir up the bottom, and this is
21 objected to by a number of people. The carp are
22 not here naturally, as you know they are imported
23 fish, and they proliferate in the Great Lakes,
24 and we have had a carp control program in the
25 past and they have helped to reduce the population



1 of large carp to some degree and cut down on
2 turbidity of the water.

3 A SPEAKER: How do you get rid
4 of the carp, net them or what?

5 MR. LAMOUREUX: We intend to
6 plough them under. We have a soil conservation
7 area and use them that way. We would like to be
8 able to sell them to market and this sort of
9 thing, but Paradise carp are not very much in
10 demand.

11 THE CHAIRMAN: I gather you
12 net them?

13 MR. LAMOUREUX: Yes, we do.

14 A SPEAKER: Mr. Lamoureux, one
15 question with respect to the proposed plant that
16 approval for which is being asked at this hearing.
17 If that were built and the outflow from it found
18 its way through some means into Cootes Paradise,
19 could you make any projection as to what the
20 effect of that would be over a number of years?

21 MR. LAMOUREUX: I do not think
22 I could, no.

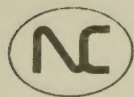
23 A SPEAKER: Mr. Lamoureux I think
24 is probably the foremost authority on recreational
25 use of Cootes Paradise, and I am wondering whether



1 he had not dealt with that in his brief to any
2 large extent. I wonder whether he might enlarge
3 on this aspect, particularly the water quality
4 intended recreational use that occurs in Cootes
5 Paradise, what facilities are there, to what
6 extent are they used, what does the future hold
7 in relation to water quality?

8 MR. LAMOUREUX: The Botanical
9 Gardens has a modest canoe livery. We do not
10 want the canoe livery to interfere with nesting
11 season, but this is available to people who would
12 like to rent a canoe and go into Cootes Paradise.
13 We have had some complaints from canoeists regarding
14 the quality of the water and some people said they
15 would never come back, but this is the sort of
16 thing you could run across anywhere.

17 Water related recreation is fairly
18 limited. I would say in Cootes Paradise it is
19 limited to the study of organisms, this sort of
20 thing, to zoological studies, except for, in this
21 case, where we do have facilities for canoe livery.
22 One of the major attractions of Cootes Paradise
23 would be the concentrations of water fowl and
24 this would be a water related form of recreation
25 for bird watchers to come and look at various



1 kinds of water fowl, shore birds and so on in
2 Cootes Paradise.

3 THE CHAIRMAN: Any further
4 questions?

5 Thank you, Mr. Lamoureux.

6 MR. LAMOUREUX: Thank you.

7 -----
8
9 THE CHAIRMAN: Dr. Benedek, how
10 long would your presentation be?

11 DR. BENEDEK: About 15 minutes.

12 THE CHAIRMAN: We normally rise
13 around 12:30, so would you like to carry on then?

14 DR. BENEDEK: Before I begin,
15 I want to make sure that I don't give the
16 impression that I am here to push or promote
17 any particular solution in the current predicament.

18 I am here merely to point out
19 that tertiary treatment, as people have been
20 referring to it, or advance treatment is feasible
21 to the Dundas sewage. When I say feasible I
22 imply that you can meet very stringent water
23 quality, such that when discharged into Cootes Paradise,
24 very few environmental objections, if any, can
25 be raised.

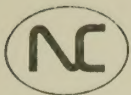


1 In view of the fact that many
2 people yesterday admitted or said, that
3 such is feasible, including Mr. Reichert, you may
4 wonder why I have come at all. I have come mainly
5 because I was ensured that this is in fact being
6 admitted. I was not sure that the Region Board
7 is willing to propose what is in fact a seriously
8 looked at tertiary treatment.

9 To the best of my knowledge the
10 solution that is deemed more practical at this
11 time by the Region and Mr. Reichert is the long
12 outfall, and I think my presentation may show
13 that in fact this is not necessarily the best
14 solution and at least we should look very
15 carefully at tertiary treatment.

16 The waste water research group at McMaster
17 has a long association with the Dundas Water Pollution
18 Control Plant. Due to its proximity to the McMaster
19 campus, many projects have taken advantage of
20 this plant over the last 13 years and I would
21 like to thank the Town of Dundas as well as the
22 operating personnel for their co-operation
23 throughout these years.

24 Two of our projects in particular
25 relate directly to the feasibility of waste
water treatment in the Dundas



1 Water Control Plant. The specific purpose of
2 this brief is to describe these two projects and
3 write up - scientific write-ups on these projects
4 have been submitted to the members of the Hearing
5 Board.

6 Here I would like to go through
7 the results of these studies and project from
8 these studies to a possible advanced wastewater treat-
9 ment sequence which I think would be capable of
10 giving us an effluent for direct discharge to a
11 water body such as Cootes Paradise.

12 The first project involves the
13 five-month period beginning in November 1973,
14 in which it added a larger dosage of chemical,
15 alum, which was looked at by Mr. Reichert. We
16 had 190 mg/l and we also added a polyelectrolyte
17 near the outlet of the aerated grit chamber.

18 The final effluent during our
19 study averaged 0.4 mg/l of phosphorus. This is
20 a little bit better than half of what is
21 contemplated currently with the addition of
22 50 mg/l P to the final or a secondary clarifier.
23 I am sorry, a secondary system added to the original.

24 These results imply that increased
25 alum dosages followed by polyelectrolytes can



1 significantly decrease phosphorus concentration
2 in secondary effluent. Furthermore, we have
3 observed that the phosphorus that does go
4 through is essentially particulate and therefore
5 filtration will probably remove most of the
6 remainder.

7 Another study in parallel to
8 the one I just talked about was a pilot scale
9 study rather than a full scale - the first one
10 that I talked about was - on physicochemical
11 treatment at the Dundas sewage plant, once
12 again.

13 Here we have essentially - did
14 the same thing as we did before, with a chemical
15 addition, flocculation and settling, but instead of the
16 biological stage, it followed molecular absorption.

17 The quality of the final effluent
18 from this plant was extremely good, of BOD₅,
19 was less than 2 mg/l on the average, suspended
20 solids were less than 2 mg/l. There is a mistake
21 in the brief - the 7 there should have been a 2.
22 And TOC (Total Organic Carbon) averaged less
23 than 4 mg/l. The current plant averages (as indicated
24 yesterday by Mr. Pierce, the Minister of the
25 Environment) discharges 39 mg/l of BOD and 45 mg/l



1 of suspended solids. The effluent in conventional
2 secondary treatment plants typically average 20 mg/l
3 of BOD and 20 mg/l of suspended solids.

4 The essentially "tap water" quality
5 of the pilot plant effluent indicates that the
6 Dundas sewage is particularly amenable to this
7 kind of treatment.

8 The implications that you can
9 draw from these studies are that a high
10 quality that is feasible and the possible technique
11 would be to increase chemical addition followed by
12 tertiary activated carbon adsorption.

13 I suggest that particular
14 sequence because it is a well demonstrated
15 technology, I feel. There are numerous full scale
16 and pilot studies both in Canada and the U.S.
17 and other countries. It is relatively easy to
18 adopt, provided we do go through with the current
19 4 mgd plan that is proposed.

20 Our studies indicate that such
21 a plan would be feasible.

22 I have also given some costs in
23 the brief. I felt that members of the Board
24 should be at least aware of the magnitude of
25 these costs. I estimated capital cost of about



1 \$45,000 followed by an operating cost of 5 cents
2 per 1,000 gallons, for increased chemical addition
3 that I indicated, and the carbon adsorption would
4 come to \$1,400,000 capital cost, and operating
5 cost approximately 6 cents per 1,000 gallons.

6 The total cost is approximately
7 one million and a half for capital, followed by
8 11 cents for operating expense. That expense
9 is quite close to the cost of the long outfall
10 that would take the water to the Bay and this is
11 in rough agreement with what Mr. Reichert
12 indicated yesterday in answer to a question.

13 Building a tertiary plant that
14 produces effluent quality acceptable for direct
15 discharge to Cootes Paradise, has the advantage
16 that we are providing dilution water in the badly
17 needed West End of the marsh and we are simply
18 not spending the money to take partially treated
19 or secondary treated - let us put it that way -
20 sewage to another area of the Bay, where it may
21 not cause serious problems, but it would certainly
22 add to the overloading that is currently there.

23 Thank you very much.

24 THE CHAIRMAN: Thank you, sir.

25 I have one question.



1 These capital and operating costs
2 are these \$75.00 - 76 - 75?

3 DR. BENEDEK: Yes, \$75.00.

4 THE CHAIRMAN: Any questions?

5 A SPEAKER: First I may point
6 out - you pointed out there has been a study
7 made of Dundas pollution centre over a period
8 of 13 years. Yesterday in fact I mentioned
9 about Dr. Murphy who pointed out about another
10 plant. Do you agree with that?

11 DR. BENEDEK: Dr. Murphy and I
12 work in close co-operation at McMaster. Dr. Murphy
13 began 13 years ago and he was the first Ph.D to be hired
14 any place in Canada to teach sanitary engineering.
15 I have been there five years, the last five
16 years.

17 The sewage plant at Dundas, beat
18 the secondary plant at Hamilton - if I can use
19 that expression - by I think 13 years. In other
20 words, Dundas has had a secondary plant 13 years
21 before Hamilton did. I may be wrong by a year
22 or two, but that is roughly the way it is.
23 The secondary plant, when it was built, it was
24 a very reasonable thing to do. It was about the
25 only proven technology.



1 In the interim technology has
2 developed as we require more or more water
3 usage and it is starting to recirculate our
4 sewage indirectly in our overpopulated regions.

5 THE CHAIRMAN: Yes?

6 A SPEAKER: Dr. Benedek, could
7 you tell us how your tertiary plant will handle
8 or treat storm water overflow?

9 DR. BENEDEK: This gets back
10 to really the question of the initial plant. I
11 think if you are going to build a secondary,
12 you should have storm water facilities built
13 into that plant. Dundas has the problem that
14 I heard mentioned before of having serious
15 infiltration after a storm and I think that no
16 plant can be designed to adequately treat
17 Dundas sewage unless it is taken into account.

18 A SPEAKER: That means that in
19 effect there really is not any way to treat
20 storm water?

21 DR. BENEDEK: Of course there
22 is.

23 A SPEAKER: Other than the
24 primary?

25 DR. BENEDEK: I am assuming we



1 have a good secondary plant which does take
2 care of that, and then we follow by a tertiary
3 stage.

4 MARGARET LAUGHLIN: Could you
5 clarify the cost estimates again? I am a little
6 confused about the comparison between the
7 secondary plant and the tertiary one.

8 DR. BENEDEK: I have not made
9 such a comparison. All I said, if you are
10 willing to spend another million and a half
11 dollars as capital expense on top of a good
12 secondary plant, you can then have a very high
13 quality effluent which would probably meet the
14 criteria that Dr. Harris and the Ministry of the
15 Environment will eventually develop.

16 In addition to that there is
17 11 cents or so per every thousand gallons that
18 goes through that plant. If you amortize the
19 million and a half, you are talking about total
20 cost of 25 cents per thousand gallons; on the
21 order of 25 cents per thousand gallons. That is
22 approximately $2\frac{1}{2}$ cents for every user on the
23 system per day, or approximately \$7.00 per year
24 per user.

25 SHIRLEY KELLY: You brought up



1 the question of costs. Have you investigated
2 costs of converting the sewage into fertilizer?
3 I know in Holland and other European countries
4 they found that a fertilizer produced from the
5 treatment water, their costs can be almost
6 completely offset and I know the price of
7 fertilizer is steadily going up with the shortage
8 of phosphates and so on, worldwide.

9 DR. BENEDEK: What I am talking
10 about now is cleaning the water as such. When
11 you clean the water you have a sludge and then
12 you take that sludge and you treat it. Currently
13 it is in fact being used as such, as Mr.
14 Reichert indicated. I would imagine this would
15 probably continue. The intent to do additional
16 treatment on the sludge, I am sure we will have
17 to, and again Mr. Reichert indicated that again
18 yesterday.

19 In Canada we have not quite
20 readily accepted municipal sludge as a valid
21 fertilizer. The phosphorus-nitrogen content is often low
22 in comparison to the carbon content and therefore
23 municipal sludge is more of a soil conditioner
24 than a fertilizer.

25 Dundas sewage is particularly good



1 for this kind of thing because it does not have a
2 major industrial input.

3 MR. REICHERT: Could you tell
4 us also the nitrogen and phosphorus levels that
5 you achieve with the treatment process?

6 DR. BENEDEK: This is a pilot
7 plant, it is a research project that was not
8 done to prove or disprove the feasibility - I
9 can only make extrapolations from it - we did
10 not continuously monitor the phosphate, we did
11 monitor nitrate continuously for a while. We
12 did not - our phosphate values were on the order
13 of .2 or less than that, and the nitrate values,
14 depending on the influent concentration, I do
15 not think they were below 10 - the anaerobic ---

16 MR. REICHERT: That was total?

17 DR. BENEDEK: Just the nitrates.
18 I would imagine the secondary plant properly
19 designed, would reduce the ammonia to nitrate
20 provided it has - this is the optimum way of
21 getting nitrate.

22 A SPEAKER: I want to clarify
23 a point on the use of sewage. There have been
24 discussions in the province and it comes down
25 to one of the prohibitive amount of land - when



1 you want to get rid of the liquid factor of
2 the sewage and the sludge, as Dr. Benedek suggested -
3 somebody said it could not be used on agricultural
4 land.

5 THE CHAIRMAN: Any other
6 questions of Dr. Benedek?

7 MR. MORTON: I think I understood
8 you correctly when you said the proper quality
9 in the outflow in a properly designed plant would
10 be much better than having a long outlet pipe
11 because the current running through Cootes Bay
12 is quite important. Is that right?

13 DR. BENEDEK: If you had a
14 stagnant body of water, that is the fastest way
15 for it to die, because it just keeps mining itself
16 and re-circulating the phosphorus that is in
17 there. By dilution, by washing if you like, we
18 can restore very badly polluted systems --
19 when I was a graduate student, over 10 years
20 ago in Seattle, we had an experiment of this kind.
21 We had a lake called Green Lake, and what we
22 did was, we put in the overflow from the city
23 reservoirs to the lake, and quite a small amount - -
24 at that time had no flow except springs coming in, and
25 we gradually got a blue lake out of this
 Green lake, and I am sure



1 the same thing would apply to this one.

2 THE CHAIRMAN: Any further
3 questions?

4 Thank you, Dr. Benedek.

5 We will stand adjourned until
6 two o'clock.

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25



1 --- Upon resuming at 2:00 p.m.

11 2
3 THE CHAIRMAN: Could we come
4 to order, please?

5 Before we proceed we have a
6 couple of exhibits to put in. One, I believe, is
7 the map behind us.

8 MR. CATHCART: Exhibit 32.

9 --- EXHIBIT NO. 32: Map

10
11 MR. CATHCART: Then that was
12 followed by Dr. Benedek's paper and presentation
13 which is Exhibit No. 33.

14 --- EXHIBIT NO. 33: Brief on Advanced Waste-
15 water Treatment submitted
16 by Dr. Benedek

17 THE CHAIRMAN: I also have
18 Dr. Benedek's Curriculum Vitae, which will be
19 Exhibit 34.

20 --- EXHIBIT NO. 34: Curriculum Vitae -
21 A. Benedek

22 THE CHAIRMAN: For this after-
23 noon, I have seven private individuals who wish
24 to be heard from and I am going to take them.

25



1 Mr. Pierce of the Ministry of the
2 Environment wants some more time, and then Mr.
3 Plant has two or three speakers that he wishes to
4 produce, as witnesses. If there is anybody who
5 still wishes to address the Board this afternoon,
6 I would ask you to fill in one of the forms.

7 Some of you were here and have
8 not filled in - perhaps you could do that as well.
9 I do not know whether all these people are here
10 yet, but I will go through them.

11 Is Peter Cameron here this
12 afternoon? He indicated a written brief, but
13 I was hoping he might talk and speak to it.
14 Nina Chapple?

15 MR. CATHCART: She will be here
16 later possibly, I have her submission.

17 THE CHAIRMAN: Is she going
18 to read it or is she going to speak to it?

19 MR. CATHCART: Well she will
20 let us know when she arrives.

21 THE CHAIRMAN: Mrs. Betty Barhydt?

22 MR..CATHCART: This will be
23 Exhibit 35.

24

--- EXHIBIT NO. 35: Brief submitted by

25 Mrs. Betty Barhydt.



1 MRS. BARHYDT: Mr. Chairman,
2 members of the Board, my name is Betty Barhydt,
3 I live in Burlington and like all of us here I
4 am concerned about the Paradise.

5 Growth in the Town of Dundas is
6 increasing the volume of sewage going into the
7 Sewage Treatment Plant just as growth is increasing
8 sewage in most large municipalities around our
9 Great Lakes. What concerns most of us in this
10 area is of course the critical condition of
11 Cootes Paradise and the problems of how to improve
12 its water quality.

13 Historically referred to by James
14 Durand in 1810 as "that long frog marsh" Cootes
15 Paradise has grossly deteriorated since then and
16 no longer is a suitable habitat for much wildlife
17 other than carp and other coarse fish and a
18 declining population of frogs and turtles. The
19 problems of urbanization are nowhere more sharply
20 in evidence than in the Paradise.

21 The poor quality of effluent
22 from the Dundas Sewage Treatment Plant has
23 certainly contributed to the sad condition of
24 these waters.

25 If the plant, designed to handle



1 2 mgd is currently handling 2.2 mgd and additional
2 growth is expected in Dundas, there seems no
3 escape from increasing the plant capacity.

4 If we wish to improve the quality
5 of water in Cootes Paradise, there is no escape
6 from the necessity of improving the quality of
7 effluent going into the Paradise so some form
8 of tertiary treatment is necessary.

9 However, Sewage Treatment Plants,
10 even when they are working properly are inefficient
11 things. No plants are designed to treat perfectly
12 extra volumes going through during heavy rains
13 and storm run-off simply must go into receiving
14 waters largely untreated.

15 Sanitary sewers are inefficient.
16 It is no longer considered possible to build a
17 tight sewer system and dry weather infiltration
18 approximates one-third of the calculated daily
19 average sewage flows in most areas. This
20 infiltration and accompanying exfiltration
21 increases costs to the taxpayer all along the
22 line. During storm conditions an enormous
23 increase in sanitary flows occur. The cost of
24 clear water intrusions are extensive including
25 excess sewer and treatment plant capacity as

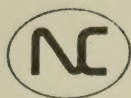


1 well as significantly reduced treatment
2 efficiency due to dilution.

3 According to a recent American
4 study: "Total Urban Pollution Loads - the Impact
5 of Storm Water for the Council in Environmental
6 Quality Executive Office of the President",
7 obtainable at the Canada Centre for Inland Waters
8 in Burlington - page 159 under "Conclusions" -
9 "B.O.D. discharge rates are at least 20 - 100
10 times increased during storms, not to mention
11 the fact that almost all heavy metal discharge
12 occurs during or after storms.

13 There is little or no sense in
14 requiring Sewage Treatment Plants to improve
15 treatment efficiency when the source of total
16 pollutant load to streams is not considered. For
17 instance Roanoke significantly upgraded removal
18 from 86 per cent in 1969 to 93 per cent in 1972,
19 yet there was no dramatic reduction in the total
20 B.O.D. load (3.2 m lbs in 1969 as opposed to 3.06
21 m lbs for 1972) - due to the presence of other
22 major pollution sources."

23 Sludge handling and disposal is
24 an increasing problem. The volumes of sludge
25 will increase again with phosphorus removal.



1 Currently the policy of the Ontario Government is
2 to dispose of sludge on land. Although sludge
3 has recognized nutrient value, heavy metal content
4 and concentrations of PCB and DDT are worrying
5 the government and long term land application and
6 its affect on future food supply will jeopardize
7 its use on our land. Besides haulage costs are
8 continually going up.

9 Long term solutions to sanitary
10 sewage problems should now be seriously considered.
11 There are alternatives to the Victorian flush
12 toilet. I am including some literature on
13 composting toilets. I am not suggesting that
14 these are the only ones on the market. I expect
15 there are more. It is time that use of these
16 toilets is recommended and encouraged in new
17 developments. Costs of sewage lines and treatment
18 plants would be drastically reduced to the
19 overburdened taxpayer. Certainly as time goes
20 on adaptations could be made for installations
21 in older homes and apartments.

22 So, at this time, I would ask:

- 23 1. That the capacity of the Dundas Sewage
24 Treatment Plant be increased from 2 to
25 4 mgd.



- 1 2. That some form of Tertiary Treatment be
- 2 installed.
- 3 3. That in new homes and apartments installations
- 4 of composting toilets be encouraged.
- 5 4. That long term solutions to storm sewage
- 6 problems be undertaken based on the
- 7 findings of a current Canadian Study
- 8 expected to be released soon by your
- 9 Ministry of the Environment.

10 Thank you.

11 THE CHAIRMAN: One of the questions
12 that I have - I am familiar with the composting
13 toilet. I believe this originated in Sweden, did
14 it not?

15 MRS. BARHYDT: Yes.

16 THE CHAIRMAN: The one thing
17 that has always confused me in looking at this
18 type of literature, is how do you handle sink
19 waste, bath water and urban area industrial waste?

20 MRS. BARHYDT: It is a problem.

21 Now they have little soap adaptors you can put
22 in and shoot your water through that, but if you
23 don't have enough land you cannot use that. So
24 you still have ---

25 THE CHAIRMAN: You still have to



1 install sewers?

2 MRS. BARHYDT: Yes, you still
3 have to install sewers, as far as I know.

4 THE CHAIRMAN: Anyone else?

5 Thank you.

6

7

8 THE CHAIRMAN: Has Mrs. Frank
9 returned yet?

10 Margaret Lachman?

11 MARGARET LACHMAN: My name is
12 Margaret Lachman and I am the secretary for CHOP,
13 Clear Hamilton of Pollution, but I am not
14 representing CHOP, I am just speaking as a private
15 citizen.

16 In doing research for the CHOP
17 brief, I did come across some information which
18 we did not include in our brief, because it
19 arrived just two days ago and our legal counsel
20 thought that we were not familiar enough with
21 the material to actually include it and to be
22 questioned on it, so I just wanted to present it
23 personally because I thought it might be relevant
24 at some period, and that is, in Altoona,
25 Pennsylvania, they are doing a composting system



1 with their solid waste as well as with some of
2 the sewage sludge and I thought that sounded
3 interesting as some kind of a long term solution.

4 Perhaps it is not going to be
5 feasible to do something like that now with the
6 Dundas situation, but in the decades to come, I
7 think that the whole waste management problem
8 will have to be looked at more deeply, so I do
9 have fairly complete information that was sent
10 to me by the Fairfield Engineering Company in
11 Marion, Ohio on the Digester which utilizes solid
12 waste and sewage sludge, turns it into composte
13 and sells it to farmers in the area and this
14 project has been going on successfully in
15 Pennsylvania for several years and the information
16 here is quite complete and would be quite
17 understandable to an engineer - sewage engineer -
18 it really does not make that much sense to me,
19 but I did want to submit it to the proper
20 authorities as a possible long term solution,
21 or maybe something which could be incorporated
22 at this stage in the proceedings.

23 So I have the report, and I would
24 like to submit it.

25 THE CHAIRMAN: Fine, thank you.



1 That will be Exhibit 36.

2

3 --- EXHIBIT NO. 36: Brief by The Fairfield
4 Digester System submitted
5 by Margaret Lachman

6

7 THE CHAIRMAN: Are there any
8 questions of the last witness? No? Well, I
9 still have five individuals and I will hold them
10 until the end and call once more.

11

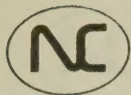
12 Mr. Pierce of the Ministry of
13 the Environment, did you wish to appear again?

14

15 MR. PIERCE: There were some
16 questions that arose following the discussion
17 yesterday and one I should clarify immediately
18 is that we do not feel there is a problem of
19 taking the effluent from the plant and putting it
20 on a tertiary plant, there is a problem in taking
21 the effluent that now exists and putting it into
22 a tertiary plant.

23

24 In other aspects of discussion
25 that have come along, there has been comment on
other sources of pollution due to Cootes Paradise.
We are familiar in our programs with the Region,
people concerned to deal with problems, there is
leachate from the landfill site, the landfill
site is closed, the problem now is, how do we

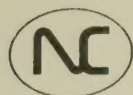


1 minimize the leachate, which is essentially
2 underway. It is not an overnight correction
3 problem.

4 Hawkins or Bores Creek, there is
5 monitoring upstream and downstream from the
6 Dundas landfill site. Our information has not
7 shown a problem yet and if anybody wants to come
8 forward with the information showing your problem,
9 we are interested, what have you got, and we will amend
10 our program if we have to. We are not fixed in one
11 direction only.

12 The Town of Dundas Pumping Station,
13 before we even came into the hearing, we recognized
14 there is a problem. There is no hiding the fact
15 there is a discharge and we are trying to get
16 programs going with the Region.

17 The Ministry of the Environment
18 Brief supports - I think we should go back to
19 about the second sentence of the Brief and
20 clarify the expansion of the sewage plant. This
21 is considered a first step in improving
22 conditions in the Desjardins Canal, Cootes Paradise system
23 and a much better quality of effluent will be
24 possible. We see a need for immediate followup
25 here and we have no objections for conditions on



1 approval. In fact, we are now in a situation,
2 having heard comments of recommending that the
3 Board consider approval of the application and
4 have conditions attached to the application that
5 upon completion of that plant, a start will be
6 made immediately to either additional treatment,
7 outfall, environmental cleanup as required to get
8 back to the objectives that are being set for use.
9 There is no objection of our Ministry to that
10 approach. In fact we will push it.

11 So I think these are just a
12 couple of points that we wanted to clarify, that
13 is how we stand, and leave it with the Board.

14 THE CHAIRMAN: Any questions of
15 Mr. Pierce?

16 A SPEAKER: Are you not prepared
17 at this point to say what the conditions would be?

18 MR. PIERCE: The problem with
19 saying what these conditions would be are problems
20 that we, Dr. Benedek, anyone in the area have.

21 No. 1, we do not know exactly
22 what will come out of the new plant. We can say
23 it would be 15 parts solid, 15 parts B.O.D., but
24 we do not really know what is coming out and to
25 size your units properly, you have to know what



1 you are dealing with. We could go ahead and say
2 be cautious, assume the worst, build - but does
3 the average taxpayer want 5, 10, 30 more mills on
4 his tax dollar than what he has to have, say if
5 we have a tertiary plant. I think this is our
6 concern.

7 An outfall may be the cheapest,
8 if we have an outfall we have to consider what
9 are the implications to the Harbour, Hamilton
10 Harbour, are the same as Cootes Paradise, what
11 is the use implication. Or shall we spend the
12 same amount of dollars and put a better grade
13 of treatment. If we do, do we have a secure
14 treatment system.

15 Whichever system we are going for,
16 we want to make sure it is secure. We have data
17 now, the data has not been analyzed, some of the
18 parameters we are checking - two or three months
19 return period from the date submitted to the date
20 we get it back - so it is not possible to work
21 all the data out. So that is why we are asking
22 for the objective, we are proposing the spring
23 target date for the report.

24 This was the committed date as of
25 last spring, around March of this year, when we



1 | launched the whole project. We have had meetings
2 | with the Region, Botanical Gardens, Conservation
3 | Authority, and from then on we have had a couple
4 | of discussions in between to say where are we
5 | heading, and we have been talking to the Authority
6 | in the Botanical Gardens and the Region respecting
7 | use objectives.

8 | The objectives of how people want
9 | to use it, as far as we are concerned, are sorted
10 | out. The Region has adopted what they feel is
11 | a suitable use pattern. We have no objection to
12 | it. Our problem now is to make sure that the
13 | parameters, the chlorophyll, the phosphorus levels
14 | meet what we can live with, so we do not have a
15 | return of the problem. This we feel is the first
16 | step.

17 | The second step we have to be
18 | very careful, because this is the one we are going
19 | to have to live with for ever.

20 | A SPEAKER: What is your theory
21 | about whether the development should be allowed
22 | to be started before this condition is fulfilled
23 | and as soon as the secondary treatment plant is
24 | fulfilled?

25 | MR. PIERCE: The Ministry normally



1 handles development freezes which are now in
2 Dundas. Such that if you come forward, develop
3 the program and commence that program, so you
4 actually start construction, we are ready to start
5 approving future subdivision development.

6 The assumption here, and it is
7 usually borne through, it will take the developer
8 longer to develop his subdivision, actually have
9 people in houses, than it will take us to build the
10 sewage plant. So from that point we are ready
11 to go.

12 If there is a problem of saying
13 we may have additional treatment to come on line,
14 we may have to put one of the conditions in
15 that says fine, the secondary plant goes, but the
16 commitment to the tertiary plant, or the pipe, or
17 the combination, has to be made before the
18 development is re-zoned, as a possible condition.

19 A SPEAKER: When does that first
20 apply. What size development does that apply to?

21 MR. PIERCE: It has been in
22 for some years now, I am not sure exactly the year
23 we brought it in, but it does apply to subdivision
24 type development. It does not apply to - if you
25 own a home and suddenly you get two families in a



1 home, or if you get increased migration, we cannot
2 control the fact there are only 10 people who
3 live in so many square feet, but we are controlling
4 the fact that you cannot register new subdivisions
5 in major separation for severances.

6 A SPEAKER: What will constitute
7 major, an apartment building?

8 MR. PIERCE: An apartment
9 building, the only change, it would have to come
10 before the Province. A subdivision would have to
11 come before the Province.

12 A SPEAKER: So that only applies
13 to land that has to be re-zoned?

14 MR. PIERCE: It applies to
15 things that are not going forward on that official
16 plan and are not planned for. It does not apply,
17 for instance, for infill. If you have 200 lots
18 already created, before the freeze that we had
19 came on in this Town, and they are sitting as
20 vacant lots, somebody is holding them waiting for
21 the right day to sell them, it does not apply
22 to that type of development. This is what the
23 consultant indicated, that he cannot stop or no
24 one can stop the growth and expansion, until the
25 infill is completely finished.



1 THE CHAIRMAN: There is another
2 hand up.

3 A SPEAKER: There were a few
4 references made to the fact that tertiary treatment
5 plants do not always work, and I am rather ignorant
6 about why they don't work and I wonder perhaps
7 if Mr. Pierce could point out some of the short-
8 comings of a tertiary treatment plant.

9 MR. PIERCE: One of the major
10 concerns we see in Dundas is right now there is
11 a lot of suspended solid material going over
12 the weirs of the plant. A lot of the tertiary
13 treatment that is being used now involves some
14 form of sand filtration, carbon filtration, it
15 is a filtration process where you have to rely
16 on fairly clean effluent going through, picking
17 up a little bit of solid material, taking it
18 from an order of 15 or 20 parts to 4 or 5.

19 Those plants are not designed to
20 be able to handle 50 - 60 - 100 ppm loads that
21 go over. In Dundas now, the plant malfunctions.
22 There are occasions when the load coming out of
23 the plant is greater than that going in and that
24 is the type of thing that cannot be tolerated
25 in a tertiary plant.



1 The capacity of the active
2 materials of the plant are not great enough and
3 we cannot afford to build them great enough.

4 A SPEAKER: You may have suspended
5 solid matter rather than a solution?

6 MR. PIERCE: It could be both,
7 suspended solid would be one of the most damaging
8 to a filter system, but if you designed a plant
9 on the basis that you assume that there are say
10 1 ppm of phosphorus coming out, you design your
11 whole plant if you are going to add chemicals, if
12 you are going to recycle existing material, to
13 be able to do it within a time frame of 1 ppm.
14 Now if you get 4 or 5 parts of the material in,
15 your life of your plant before regeneration,
16 or recycling additional material is so much less.
17 It throws your whole costing out and the whole
18 problem of operating, the economics, the way it
19 is stupid to do it with a good grade of secondary
20 first and then put the advance treatment on it.

21 A SPEAKER: Well that does
22 clarify it. Would you say then that a tertiary
23 treatment plant requires a pretty good grade
24 or a good grade of effluent. Do you mean a
25 mixture or a liquid what has below a certain level



1 of both solubles and suspended material, is that
2 right?

3 MR. PIERCE: Right. It is a
4 type of effluent that if we are getting 10 or 15
5 parts pollution in water, per part of effluent,
6 mixed in a flowing stream, would not do major
7 damage to the stream. We do not have that ratio
8 of mixing here to start with and we do not
9 have a flowing stream.

10 A SPEAKER: May I ask something
11 while I am standing up. I should apologize in
12 asking this question, because I have been in and
13 out for the last couple of days. I have not been
14 here all the time.

15 I don't know, for instance, if
16 Dr. Benedek has given his presentation?

17 THE CHAIRMAN: He has.

18 A SPEAKER: Well then, my question
19 will not apply, but I was struck by a point made
20 by the first speaker this afternoon, when she
21 spoke of DDT and other material, which does not
22 change very rapidly. We have a lot of things
23 now, over the last 25 years, that are not
24 biodegradable or change very, very slowly, and
25 I would think they would pose a problem to any



1 kind of sewage treatment system, no matter which
2 way it is going.

3 I am asking any of the technicians.

4 MR. PIERCE: We have to monitor
5 pesticides and heavy metals. We can get traces
6 but we are not showing major levels of heavy
7 metals or pesticides to be unduly concerned with.
8 You can get pesticides from any community, from
9 lawn sprays and so on. It is not like a heavy
10 spraying area of fruit farmers with some of these
11 problems.

12 A SPEAKER: But the stuff does
13 accumulate?

14 MR. PIERCE: It would in your
15 sediments. Hamilton Harbour is an example where
16 you cannot find heavy metals in the water quality,
17 but you can definitely find them in the sediment.
18 There is a concentration in the sediment, usually.

19 A SPEAKER: Did I understand you
20 sir to say that whatever growth area has already
21 been planned in the past, that even though the
22 sewage plant is working to capacity, as long as
23 it is in the plans you are still going ahead
24 with that?

25 MR. PIERCE: If there is an



1 approval through the Provincial system saying
2 you can go ahead and build, the Province cannot
3 come back and stop you from building.

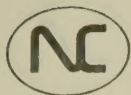
4 A SPEAKER: Even though the
5 sewage plant is overloaded, we can go right ahead
6 without any chance of relief?

7 MR. PIERCE: I don't think there
8 are major developments this way, but there are
9 infillings that are not stoppable.

10 A SPEAKER: Even when the
11 sewage treatment was absolutely to capacity, all
12 these town houses and new developments on Ann
13 Street came ahead and everybody knew it was going
14 at full load, and I am just sort of hoping we can
15 do something about stopping this growth until we
16 do something about it.

17 MR. PIERCE: We are here today
18 to try to get the plant started so we can do
19 something.

20 A SPEAKER: Well that's a year,
21 a year and a half, it can't start until next year,
22 so what is going to happen to all the sewage
23 or whatever that comes into the Sewage Treatment
24 Plant. We have seen absolute raw sewage overflow
25 in that area. I stood there and watched it.



1 MR. PIERCE: It will continue
2 to overflow until the plant is rebuilt.

3 A SPEAKER: And you are going
4 to keep growing before something is done about
5 this?

6 MR. PIERCE: Well growth in
7 terms of approved lots we cannot stop. If it
8 went to a Court, the Court would tell us ---

9 THE CHAIRMAN: To clarify this
10 lady's question, I might pose a question to you.

11 Do you have any personal knowledge
12 as to when Dundas was put under a Provincial
13 freeze? And do you know any subdivisions that
14 were approved prior to this freeze that have not been
15 proceeded with?

16 I think this lady is showing
17 concern that there are some subdivisions in the
18 mill now that have been approved, that have not
19 been built. I think it would allay her fears
20 and if you have that information?

21 MR. PIERCE: We are not aware
22 of it here offhand. I do not know if the Region
23 has information or not.

24 MR. PLANT: I will be calling
25 a reply witness who will touch on that.



1 THE CHAIRMAN: All right, fine.

2 Well thank you Mr. Pierce.

3

4

5

6

THE CHAIRMAN: Now, Mr. Plant,
you have a number of people?

7

8

9

10

11

12

13

MR. PLANT: Yes, Mr. Chairman.

In view of the number of briefs that have been
presented, and some of the stimulating information
that has been brought out, to bring it in
perspective, I feel it necessary to bring some
reply to clarify the proposal before **you** and I
would like to call Mr. Kuchinski.

14

15

16

17

18

19

20

MR. KUCHINSKI: I function as
planning technician for the Town of Dundas. I
have been asked to speak with regard to the
land use in and around the plants. For your
information, Mr. Chairman, I will submit a
certified copy of the Zoning By-Law of the Town
of Dundas.

21

22

23

24

25

On the appended map to the rear
you will notice the lands in question as outlined
are zoned M4. On page 40 of the Zoning By-Law
that indicates - that Section 24 of the Zoning
By-Laws is a public industrial Zone and subsection 1



1 "USES PERMITTED: Industrial, manufacturing,
2 storage, servicing and processing operations
3 carried on by, or on behalf of, a Municipal,
4 Provincial or Federal Government or Utility
5 agency, and without limiting the generality
6 of the foregoing shall include water treatment,
7 pumping and storage facilities, sewage pumping
8 and treatment facilities, works yards, garbage
9 dumps and public incinerators."

10 I would submit that for your
11 information.

12 I might also add that all of the
13 property in question is zoned, so zoned that the
14 treatment plant as proposed confirms with all
15 aspects of the Zoning By-Law.

16 MR. CATHCART: That will be
17 Exhibit 37.

18 --- EXHIBIT NO. 37: The Corporation of the
19 Town of Dundas By-Law
20 No. 1964 - Zoning By-Law

21 MR. KUCHINSKI: I have also
22 been asked to speak in terms of the need of the
23 sewage plant. There has been some discussion as
24 to the proposed development in the Town of Dundas.
25 As a result we have looked at development applications



1 that are on file now, projected them into
2 proposed dwelling units and projected populations.

3 Looking at the area of the Town
4 of Dundas, that we have annexed - not annexed,
5 but acquired for Regional Government in the
6 realignment of municipal boundaries, the proposed
7 possible subdivision of empty land that is
8 available for development, re-development of the
9 areas in Town where development is possible,
10 without getting into unrealistic densities,
11 keeping things generally on the scale they are
12 now, allowing new developments in terms of
13 single family, low density, multiple developments,
14 small-scale townhouse projecting, etcetera, it
15 is conceivable that by 1985 we would have a
16 total population in the neighbourhood of 30 to
17 35,000 people.

18 At present we are working on a
19 population of 19,000, a projected increase of
20 some 10 to 15,000, depending on how you add the
21 numbers up and what the ultimate loading of the
22 dwelling units are. We are looking at a possible
23 addition of some 3 to 5,000 dwelling units in
24 the Town of Dundas over the next 10 to 15 years.

25 This would, to my way of thinking,



1 would utilize the ultimate development capability
2 of the Town of Dundas. It would pretty well
3 fill the existing municipality without going
4 into unrealistic densities in terms of high-rise
5 development of the downtown area, and just allowing
6 selective re-development where required and
7 basically subdivision of vacant lands.

8 If, however, we got restrictive
9 legislation, such as a further parkway belt, or
10 the Niagara Escarpment legislation or service
11 facilities suddenly unavailable for some
12 reason or another, and more services were
13 available, obviously the situation would change.
14 But assuming that service capability would be
15 made available and no further restrictive
16 legislation was enacted, a population growth
17 of some 10 to 15,000 people could be expected
18 within 10 to 15 years, and this would probably
19 totally fill the Town of Dundas, so to grow
20 any further we would have to look at outlying
21 areas and talk about growth outside the
22 municipal boundaries that exist today.

23 THE CHAIRMAN: Do you have any
24 information to answer that lady's question,
25 about approved subdivisions?



1 MR. KUCHINSKI: The exact date
2 of the Ministry of the Environment's comments
3 on refusing further development escapes me. I
4 believe it is somewhere in the neighbourhood of
5 two years now, somewhere in that neighbourhood.
6 Twenty-four months. At that time there was some
7 three subdivisions that had draft plan approval,
8 which had not yet been developed.

9 Crawley Court, which is a ten
10 lot subdivision, has now been developed; Falcon
11 Acres is a subdivision which allows for eleven
12 single family dwellings and approximately 54
13 town house units, that is in the process, of sub-
14 division agreement now, and I expect it will
15 be developed within the next 12 months. And the
16 other subdivision is known as Highland Park.
17 They are in the process of presently developing
18 some 70 single family units and an apartment
19 site of 165 units.

20 THE CHAIRMAN: So these got
21 under the wire, so to speak, before the freeze
22 was imposed, is that right?

23 MR. KUCHINSKI: Right.

24 A SPEAKER: Could I ask you, sir,
25 there is some sort of excavation on the property.



1 Is that a high rise going up?

2 MR. KUCHINSKI: That's a new
3 road that is being built.

4 A SPEAKER: Just a road going
5 through? I didn't know whether they were building
6 a parking lot or what they were doing.

7 MR. KUCHINSKI: No.

8 MR. PLANT: Mr. Kuchinski, do
9 you have any information as to the number of
10 subdivisions or developable land that has been
11 held up because of the lack of sewage capacity?

12 MR. KUCHINSKI: Since the freeze
13 has been put in place - I have applications on
14 file now for approximately 3,000 dwelling units,
15 seven applications on file now, some are very
16 small, 10 and 12 units; some are large, allowing
17 for 13 - 1400 units, but these have all been
18 dealt with, saying it's very nice but we have
19 to refuse them or hold them in abeyance until
20 the sewage capacity situation has been resolved.

21 MR. PLANT: I think those
22 are all the questions.

23 THE CHAIRMAN: Any questions
24 from the audience?

25 A SPEAKER: Do you foresee in



1 1985 some sort of restriction, official restriction?

2 MR. KUCHINSKI: If we reach
3 the population projected by that time, obviously
4 there will have to be some sort of change in
5 thinking on growth, whether it is an absolute
6 limitation of growth within the Town of Dundas,
7 or whether it is a realignment of the municipal
8 boundaries, to allow for more land to be
9 developed and serviced outside of what is
10 available today, or whether it is a change in
11 thinking to allow for higher density; or perhaps
12 a big wall built around the Town so nobody
13 can move in. But something will have to be done
14 by 1985, if this is reached.

15 THE CHAIRMAN: Any other
16 questions?

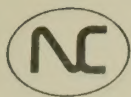
17 A SPEAKER: My question is
18 really to Mr. Pierce.

19 THE CHAIRMAN: Well let us
20 finish with this witness and then you can ask it.

21 Any further questions of this
22 witness?

23 Fine, thank you.

24 A SPEAKER: In a way it seems,
25 to the gentleman, when you say this cannot be



1 stopped, the development that has already been
2 started, I can't quite accept that as a blanket
3 statement. On whose authority can it not be
4 stopped?

5 MR. PIERCE: The Ministry of
6 the Environment is in a position of saying there
7 are services or there are not services available,
8 and at one point we start to say there are no
9 more services available, we cannot go along
10 with more subdivisions. There will often be
11 commitments, developments up to a point.

12 Now the plant was not up to
13 hydraulic capacity, was not up to load, and then
14 it came up to load, or was predicted upto load,
15 it was cut off, and the development that has
16 been continued since that time is single family
17 infilling, has put it well over the load, and
18 we are not in a position to be able to go back
19 and tell someone, for instance if you owned
20 two separate parcels of land and you now
21 wanted a building permit, we wouldn't be in a
22 position to go back and tell the Town to refuse
23 your building permit. That would be thrown out
24 of Court.

25 A SPEAKER: So for the Ministry



1 you cannot stop it, but that does not necessarily
2 mean it cannot be stopped. There is a distinction.

3 MR. PIERCE: It probably could
4 be stopped, but it is a very difficult process,
5 and it is going to be a local municipality
6 initiative, as I understand it.

7 MR. PLANT: I call Mr. Joachim
8 Schwarz.

9 MR. SCHWARZ: I am a graduate
10 of the University of Toronto and a member of the
11 Canadian Institute of Planning. Presently I am
12 a planner head in the Regional Planning Offices.

13 MR. PLANT: Do you have any
14 population statistics Mr. Schwarz, that would
15 assist the Board as to some past trends of
16 growth and as to projected growth in the Dundas
17 area?

18 MR. SCHWARZ: Yes, sir. The
19 Regional Planning Division is presently undertaking
20 transplant which is part of the preparation for
21 the Regional Official Plan. The trend as a
22 definition is meant to say that we consider
23 policies and definitions of existing Official
24 Plans.

25 We also take into consideration



1 municipal actions which were planned in the five year
2 capital budgets. We also took into consideration
3 the direction and growth of physical development
4 and development related to population increases,
5 with respect to socio economic and population
6 increases in general.

7 In our studies we have found out
8 that first, the population increases throughout
9 the period between 1961 and 71 dropped drastically.
10 We had a tremendous decrease in natural increase,
11 and we had a rapid drop in migration.

12 In our projection we came about
13 a ratio which reflects regression of approximately
14 .98 per cent on an annual basis. For the Town
15 of Dundas we have calculated that a population
16 increase from 1974 to 1986 would be on an annual
17 average of approximately 4 per cent, 4.4 to be
18 exact, to a total of 23,080 persons - total
19 increase of approximately 4,200 people and it
20 would be a total increase from now to 2001 of
21 approximately 10,300 persons, which is approximately
22 1.77 per cent.

23 Increase over the past 25 years,
24 based on the 2001 population, would be in the
25 neighbourhood of 1.4 per cent.



We have indicated in the transplant that in fact the transplant considers only past performances of development inasmuch as it had occurred in the Region and in certain growth areas. The growth areas were determined in certain sections of which Dundas is a part and the population was calculated on the basis of a correlation coefficient with respect to land usage.

The increases - it has been Dundas's experience in the past, in the neighbourhood of 3.7 per cent in 1967, 2.77 per cent and 2.77 per cent in '68 and '69 respectively, 3.11 per cent in 1970, 1.55 per cent in '71, and we had a drastic change between '72 and '73 to approximately 6.8 per cent; but that was caused by the annexation, from certain areas and from West Flamborough, as well as the Township of Ancaster. Total increases were in the neighbourhood of 2.65 per cent on an annual average basis.

The entire population which we foresee - again I would like to stress this - was based on development trends, nothing else. I would like also to add, in our transplant, we

The main indicator in the study
points that in fact the transport component
of performance is significant in the sense of
and recovery in the system and in the system
even. The growth rates were relatively low
certain regions of which there is a high rate
the population was estimated on the basis of
a correlation coefficient with respect to the
usage.

The population - 12 million
Europe's experience in the world, in the relation-
ship of 1.7 per cent in 1960, 1.7 per cent
and 1.7 per cent in 1965 and 1.7 per cent
1.1 per cent in 1970. 1.1 per cent in 1971.
and he had a similar amount between 1960 and 1971
to approximately 0.5 per cent; but this was
caused by the accumulation of two certain areas
from that perspective, as well as the possibility
of transfer. Total transfers were in the
order of 1.1 per cent in the annual
average basis.

The entire population which we
assume - again I would like to stress this -
was based on development trends, nothing else.
I would like also to add, in our transport, we



1 have indicated that Dundas could grow to the
2 year 2001 to approximately 30,000 people. That
3 does not necessarily mean that there is a maturity
4 population. There is still land available in
5 Dundas which could be used for additional
6 development which will increase the population
7 slightly.

8 With respect to the additional
9 population which could be serviced by the proposed
10 new treatment plant, the complete utilization of
11 the capacity of this plant, in my opinion, would
12 involve basically three things. One, if Council -
13 and presently under our studies, no indication that
14 Council has done so - but if Council changes
15 the Official Plan to allow for higher densities,
16 within Dundas, then the extra capacity could be
17 used in Dundas.

18 Secondly, if Dundas is allowed to
19 go into the area of the parkway belt west, then
20 the capacity could be utilized in that area.

21 There is a third possibility that
22 in case the area of Greensville on top of the
23 escarpment becomes - gets into a condition where
24 under health standards, for health reasons it
25 is necessary to service the existing population,



1 then a sewer could be built up into that area
2 and this particular area could be serviced.

3 MR. PLANT: Thank you Mr. Schwarz.
4 Could we have that information filed with the
5 Board?

6 MR. SCHWARZ: Yes.

7 MR. CATHCART: Exhibit 38.

8
9 --- EXHIBIT NO. 38: Brief submitted by
Mr. Schwarz

10
11 THE CHAIRMAN: Any questions
12 of Mr. Schwarz?

13 A SPEAKER: It struck me that
14 your projected figures for 2001 were about the
15 same population figure that Mr. Kuchinski gave
16 for 1985. Is that so? You understand I am not
17 holding you responsible for any discrepancy, but
18 is that so?

19 MR. SCHWARZ: Yes, I indicated
20 that. What we have done is a projection of
21 existing trends. Now I cannot talk for Mr. Kuchinski
22 but it is my assumption Mr. Kuchinski based his
23 figure on the lands available for development
24 and he assumed that it would be

25 A SPEAKER: But your studies



1 suggest it may not all be developed until
2 then?

3 MR. SCHWARZ: Well we have used
4 a certain democratic figure which of course
5 indicated that as you perhaps know, the natural
6 birth rate has dropped tremendously and our
7 economic situation within the country is not -
8 we could experience the same type of immigration
9 as occurred in the 1950's. Subsequently, the
10 population forecast of almost any body, as far
11 as I know, in the country including the projected
12 population for Ontario - which at one time stood
13 around 14 million, has now been readjusted to
14 somewhere between 9 and 10½ million.

15 Of course all the time conditions
16 change and I may just have had more recent
17 information.

18 A SPEAKER: Mr. Schwarz, may I
19 ask you - again this is really for my information -
20 what is meant by a condition of maturity in a
21 community? The reason I ask, of course it is
22 out of curiosity and concern, but it suggests a
23 kind of point beyond which the food gets
24 overripe and in other words rots. Many of us
25 feel that has happened already in Dundas, but I



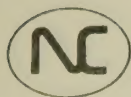
1 suppose that could be considered a matter of
2 opinion - what do you mean by mature?

3 MR. SCHWARZ: Well maturity,
4 I referred to the stage of development in which
5 the municipality is in, especially I made
6 reference to the population. Now within a given
7 area - I will make it simply 100 acres, you may
8 have 80 acres which you could develop in
9 accordance with the existing dynamics of development
10 up to a certain time. But of course we talk in
11 terms of a very long range planning process and
12 in accordance with the existing lands available
13 for development in Dundas, it is feasible that
14 past the year 2001 you may have an additional
15 population. How much I do not know.

16 We may have even a smaller growth,
17 I could not tell you that, because to actually
18 go into predictions - and I use the word prediction
19 because right now we are using a projection -
20 the prediction means I would be a prophet.

21 A SPEAKER: Does it have to do
22 with the age pyramid of the population?

23 MR. SCHWARZ: No. It has to
24 do -to the point where you fill up the borough.
25 You get up to there and no further. That is maturity.



1 A SPEAKER: I was just going
2 to clarify - I did base my figures on the maximum
3 potential development of what appears to be
4 available developable land, rather than projected
5 population increases that Mr. Schwarz spoke about.

6 THE CHAIRMAN: Any other
7 questions?

8 Thank you Mr. Schwarz.

9 -----
10

11 MR. PLANT: Mr. George A. Corner.

12 MR. CORNER: My name is George
13 A. Corner. I am Administrator Treasurer for the
14 Town of Dundas and I have been employed by the
15 Town of Dundas for 32½ years.

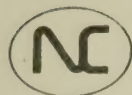
16 MR. PLANT: Mr. Corner, you
17 have been a resident of the Town of Dundas for
18 that length of time?

19 A. I was born in Dundas. I
20 lived in Dundas all my life.

21 Q. It's a bit more than 32½
22 years?

23 A. That's right.

24 Q. Do you have any information
25 you can give us with respect to the existing



1 plant and the development that took place from
2 the time that you remember the plant existing,
3 going back - its development, its expansion stages
4 and also the residential development immediately around
5 it to pose a chicken and egg question, which
6 came first, how did they develop?

7 MR. CORNER: Yes, Mr. Chairman.

8 The original plant, as I said yesterday, was
9 built in 1919 - 1921 when the sewage treatment
10 or the sewage system in the Town of Dundas was
11 installed, and I might say it was only a sanitary
12 sewer system, it was not a joint sanitary and
13 storm sewer, it was solely sanitary sewer.

14 The treatment plant at that time
15 was in its present location and the Town of
16 Dundas did, at that time, at least draw off the
17 sludge before the effluent went into the Canal.
18 Also, at the north side of the sewage treatment
19 plant area, was a sludge bed where the sewage
20 was drawn off, where the sludge was run off and
21 just left in an open bed.

22 Now during the second World War
23 days, there were town houses built on Hunter
24 Street - three streets down there with wartime
25 houses that went down to East Street. Now east



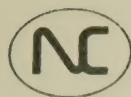
1 of East Street are Cameron and Concord Avenues
2 and there is where single family dwellings were
3 built after I came with the Town, which was 1943.
4 So that the treatment plant or the sewage plant
5 was there prior to 1943, when the single family
6 dwellings were built. These are a bricktype
7 as compared with the asbestos covered type that
8 were built as wartime houses.

9 So the plant came first and the
10 houses came after.

11 Then, as I said, there have been
12 three, I think three additions to the plant. The
13 first one was in the late 40's and then in 1962,
14 it was in September, 1962 they opened another
15 addition to the plant, and in the early 70's
16 another addition to the plant was there and
17 immediately they started studying the extension
18 that is being proposed now because of the Town
19 expansion.

20 THE CHAIRMAN: When was the old
21 one abandoned?

22 MR. CORNER: That would be about
23 the late 40's. I think it was around 1950. The
24 reason I remember it is, my predecessor left
25 the Town and I became involved in a Court case



1 regarding the new treatment plant. When the
2 old one was abandoned, the new one came in.

3 THE CHAIRMAN: I lost a good
4 pair of shoes in the sludge in that area.

5 MR. CORNER: I think I
6 remember something about that too.

7 MR. PLANT: Mr. Corner, do you
8 have any other remarks to make, to your knowledge
9 with the Town in connection with this plant?
10 Do you wish to make any other remarks?

11 MR. CORNER: I think if I might
12 be permitted to say it. I have sat here for
13 most of the two days and I have heard the Town
14 of Dundas being charged as the villain in the
15 piece. In other words, we have been charged
16 that the West Pond is totally our responsibility
17 that practically the whole pollution of Cootes
18 Paradise is our responsibility and I deny that,
19 Mr. Chairman.

20 From the standpoint - I go back,
21 as I say to 1919 - 22 when the Town of Dundas
22 built its plant and at least it was drawing off
23 the sludge before the effluent went into the
24 Canal and into Cootes Paradise. I have knowledge
25 and have seen other sludge and sewage coming



1 into the Cootes Paradise area and into the
2 Hamilton Bay, which has not been treated in any
3 way, shape or form, just raw sewage. We have
4 through the years a great many east winds which have
5 blown a lot of this stuff up into the Canal and
6 when it got to the head of the Canal it had
7 no place to go, and so into Cootes Paradise and
8 the Desjardins Canal, this was blown in by east
9 winds.

10 Also, if you were to go down and
11 look - and I have flown the area, so I have
12 knowledge of it - Spencer Creek where it comes
13 into the Desjardins Canal, it comes in at almost
14 90 degrees, and this area has been the subject
15 of silting through the years until the Desjardins
16 Canal was completely blocked.

17 Now certainly the 2 mg or possibly
18 2 mgd is going out of the plant, is getting down
19 to Cootes Paradise into the West Pond into
20 Cootes Paradise, yes, but the free flow of water
21 or what-have-you coming out of the plant has
22 been stopped by the silting and I am certain the
23 Town of Dundas is not responsible for that silting
24 in. We have not been able to control the silt
25 that is coming down from Spencer Creek, from well



1 up into the head of the Creek, way up into even
2 Wellington County.

3 This all comes down - it is readily
4 seen in the spring when the Creeks in heavy flow
5 and this of course was being deposited down
6 there.

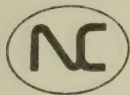
7 I deny the Town of Dundas is the vill-
8 ain in the piece and we are totally and solely
9 responsible for the desecration of Cootes
10 Paradise.

11 THE CHAIRMAN: In the old days,
12 did the Canal extend further up into the downtown
13 area?

14 MR. CORNER: It came up,
15 Mr. Chairman, to East Street. This was known as
16 the King's Landing.

17 THE CHAIRMAN: Well where is
18 East Street?

19 MR. CORNER: Well if you know
20 the plant, East Street is the street that goes
21 north and south at the west side of the waterworks
22 ground and sewage treatment plant grounds, that
23 is East Street. At one time the Canal came
24 right up to East Street. There used to be a
25 Canal basin there, a turning basin. This is where



1 they used to turn the sailing barges back in
2 1835, in 1836, when it was used for sailing and
3 for the transport of merchandise. That was the
4 turning basin. That became badly silted in and
5 was a breeding place for mosquitoes, so the
6 Council in its wisdom decided that with the
7 permission of the Federal Government, to close
8 that part of the navigable water. They would
9 fill in the Canal basin and make Centennial Park
10 there, and that is our Centennial Park; so I
11 think we have closed up about 400 feet of what
12 was the old turning basin of the Canal.

13 THE CHAIRMAN: That was just
14 personal interest, that was all.

15 Any questions?

16 A SPEAKER: Mr. Corner, do you
17 recall what was exactly done in '71 to the plant,
18 what alterations were made and so forth?

19 MR. CORNER: The large extension
20 over in this area was built in 1971. The previous
21 one was over in this direction. The large
22 settling tanks and the aeration tanks were built
23 in 70-71.

24 A SPEAKER: This again is a
25 personal interest question, you said the raw



1 sewage came with the east winds. Where did
2 the raw sewage come from?

3 MR. CORNER: Hamilton Bay, and
4 the Aberdeen area, the watercourse that comes
5 down.

6 A SPEAKER: Was that industrial?

7 MR. CORNER: I have stood at
8 the foot of Jane Street in Hamilton when the
9 water was low and I saw raw sewage going into
10 Hamilton Bay.

11 A SPEAKER: Is that untreated
12 by the Hamilton plant?

13 MR. CORNER: As far as I know.

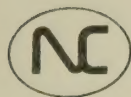
14 A SPEAKER: You pointed out,
15 in 1963 the Canal basin was filled because of
16 the wisdom of the Council, and I wanted to ask
17 whether it was the wisdom of the Council or the
18 lack of wisdom of the Council in Hamilton, not
19 having a place to dump the fill from King Street?

20 MR. CORNER: I do not question
21 decisions of Council.

22 A SPEAKER: Thank you.

23 THE CHAIRMAN: Any other questions?

24 A SPEAKER: Mr. Corner, it was
25 brought out that Mr. Corner was born and raised



1 in Dundas. He has been a public servant for
2 many, many years and I should add, Mr. Corner
3 may be a little surprised to hear me paying a
4 tribute to him, but there is no one who has
5 the interest of Dundas more sincerely than he.
6 That does not mean that there may not be
7 differences of opinion among people who have
8 the interests of Dundas at heart, as to how those
9 interests best be served.

10 I myself did not hear anyone
11 accusing the Town of Dundas of anything. Perhaps
12 as I said, it could have happened while I was
13 out of the room. It would seem that the growth
14 of the Town of Dundas which has occurred during
15 Mr. Corner's time with the Town government, has
16 had a lot to do with the need for greater
17 sewage treatment.

18 One does not have to blame anybody
19 for that. It is just a fact, I suppose. It is
20 also true, as several people have suggested,
21 I think, that growth or further growth is a
22 matter of choice of human beings. It is not something
23 ordained or written in heaven. The development
24 has to continue, although one would sometimes
25 think so, if one attended the meetings of the



1 General Council.

2 The problem with Cootes Paradise
3 and its preservation or restoration, is a Regional
4 problem, no doubt. It is not just simply a
5 problem to be laid at the foot of the Town of
6 Dundas. I suppose that is why it is being
7 treated on a Regional basis. I would be sorry,
8 whatever the Town of Dundas would be, to hold
9 the citizens of the Town to blame for the
10 condition of Cootes Paradise.

11 MR. CORNER: It seems to me, I heard,
12 as I have been sitting here and you have not
13 been in attendance all the time, I heard people say
14 the Dundas Sewage Treatment Plant polluted the
15 Cootes Paradise and the West Pond. I have heard
16 this said by various groups, and I sincerely
17 respectfully suggest they do not know what they
18 are talking about.

19 THE CHAIRMAN: Did you fill
20 a form out, sir? You can give your presentation later.

21 A SPEAKER: Yes I did, but
22 I checked the no. I do not wish to make a
23 presentation unless you want me to.

24 A SPEAKER: You said that
25 Dundas is not really the cause of the pollution



1 in Cootes Paradise, and most of it comes from
2 Hamilton. Do the ones in Hamilton help in the
3 cleanup of it and help clean up some of their
4 sewage?

5 MR. CORNER: Well you have a lot to
6 learn about Regional Government and Provincial and local
7 Government. If you knew that you would know what
8 the answer is, because I am not in a position
9 here to tell you how governments are run.

10 THE CHAIRMAN: Any further
11 questions?

12 Thank you, Mr. Corner.

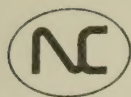
13

14

15 MR. PLANT: I would call back
16 Mr. Reichert to reply.

17 THE CHAIRMAN: Fine.

18 MR. REICHERT: As a starting
19 comment from the different submissions that
20 have been made, it is good I think that people
21 have expressed the common concern about something
22 that the Region - I must say, is itself concerned
23 about or we would not be here today, even to
24 have the opportunity to talk and that is the
25 preservation and do whatever is possible in



1 maintaining proper conditions in the Cootes
2 Paradise area.

3 It is the Region's initiative
4 that proceeded with the development of such a
5 project and picking it up from the Town of Dundas
6 who had started this project back in 72-73.

7 I think we can - I will talk a
8 bit about tertiary treatment, but I want it
9 clearly understood that in making recommendations to
10 any body or anybody that involves capital
11 expenditure or an involvement on their part, one
12 must be sure that the recommendation is appropriate
13 and will in fact achieve a desired result.

14 As we understood the project,
15 and still do, this proposed plant expansion will
16 reduce the discharges to Desjardins Canal and
17 Cootes Paradise, and is a very important first
18 step, generally agreed by most of the presentations
19 made. Many have suggested it should go further
20 at this time, we do not feel that it would be
21 appropriate to add more treatment at this time
22 or to do something different simply because we
23 do not have the report that is yet to come to
24 advise us on what is really required.

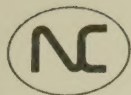
25 Mr. Lamoureux provided the greatest



1 information on the inputs into Cootes Paradise
2 and I think it has been amply demonstrated that
3 while some information has been provided
4 relative to two inputs, Spencer Creek and the
5 existing plant itself, and on the basis of these
6 two inputs, attempted to project what the plant
7 effluent quality should be. And in truth there
8 are many others and one that has not been
9 mentioned, or two perhaps, so I will mention it,
10 is one that is very significant in this area,
11 not caused by this area but rather it is imported
12 to the country, and that is air pollution fallout;
13 and in terms of phosphorus levels we are aware
14 now that ~~the~~ phosphorus fallout on to the Great
15 Lakes system and even as far as Lake Simcoe
16 could equal the input now from our present sewage
17 treatment plant.

18 So the activity, the monies that
19 have been spent now to correct sewage plant
20 discharges and to reduce the amount of phosphorus
21 is only a partial answer, and while it is correct
22 as far as it goes, will not in itself bring the
23 total solution.

24 Another bit of information that
25 has been brought to us is that the water in Cootes



1 Paradise, the main body itself, is very shallow
2 and it seems that it is only one or two, or in
3 some areas perhaps a few feet deep, it may be
4 three or four feet in some areas and less in
5 others.

6 I think another impact on this
7 area, a very significant one, would be changing
8 lake water levels in Lake Ontario, but we again
9 do not have the control of, but I expect this
10 study when it is produced, will shed some light
11 on that and tell us the impacts of these
12 different inputs or different things that can
13 happen to Cootes Paradise, so that we can
14 properly evaluate what is truly required and
15 what we can expect to achieve in adding
16 something to our presently proposed sewage plant
17 extension.

18 What the program - what has now
19 been mentioned - I want to go into the timing
20 of it, because it seems I did not describe it
21 quite adequately - a project of this size takes
22 about six months to design and get it to the
23 initiation of construction stage. Then depending
24 on the construction industry themselves, the
25 contractors who bid on the job to build it, it



1 would take about 12 months to build.

2 Now one contractor could perhaps
3 fortunately shorten up a few months, or we might
4 unfortunately have the time extended, which is
5 something that would happen beyond anybody's
6 control that is here today.

7 Relative to plant discharge, a
8 significant improvement we feel will be achieved
9 and we want to emphasize this, it has been
10 mentioned earlier but I would like to say it
11 again, that in terms of B.O.D. the present
12 discharge is some 8 to 900 pounds per day.

13 Building of the plant and initially
14 on commencement of operation, this level would
15 decrease to about 250 or 300 pounds per day as
16 input, so we have effectively removed some 600 ppd
17 in the present discharge. If the plant and the
18 effluent location and so forth remain unchanged,
19 and we are not suggesting that it will, but if
20 it did, then this organic discharge would increase
21 in time up to the full point capacity of 600 ppd,
22 less than what it is right now. That is about 300
23 pounds less than what it would be right now.

24 So we have with an expenditure
25 of public funds achieved that much of a benefit.



1 Similarly in the phosphorus levels, they would
2 be reduced from about 100 ppd to 20 pounds initially
3 and then growing upwards, if there is no change,
4 to about 40 ppd.

5 Application of tertiary treatment
6 to any treatment process can only improve on this
7 effluent we already have, so the greatest removal
8 capability is achieved with this secondary sewage
9 treatment plant equipped with chemicals for
10 phosphorus removal.

11 In terms of tertiary treatment,
12 I think there is a bit of confusion about what
13 it might consist of and this is why we were
14 hesitant to attempt to develop a program at this
15 time on a preconceived unvalidated assumption of
16 what the effluent should be and it could include
17 simple sand filtration - now provided at many
18 plants in Ontario.

19 One plant in reference today was
20 the North Don plant built in the Town of Markham.
21 The construction started in 1967. That plant
22 produces today an effluent quality of about 5 ppm
23 B.O.D., suspended solids of about 5 ppm, and it
24 is yet to have phosphorus removal facilities
25 installed. Activated carbon, the addition of this

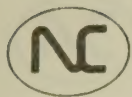


1 form of treatment is very costly and its ability
2 to improve the effluent is very limited, over
3 and above simple filtration. It will not remove
4 any more phosphorus and we can go on from there
5 to very expensive processes, including reverse
6 osmosis, ion exchange and so on.

7 Research is under way to attempt
8 to define these processes and some of the work
9 has been carried out, in fact by groups such as
10 the Ontario Research Foundation.

11 Now in terms of an effluent
12 quality here, I want to make it clear that our
13 understanding of sewage treatment processes, to
14 achieve an effluent quality of .1 ppm phosphorus,
15 2.5 ppm B.O.D. , 1.25 ppm of total nitrogen in
16 Ontario at this time is just about impossible.
17 It can be done on a research basis, on a pilot
18 scale basis, but a full scale basis I do not
19 think that it is properly feasible.

20 The one example I would use is
21 the Lake Tahoe project uses - and it has only
22 been partially successful - it does not produce
23 the effluent quality of this type. But it uses
24 an aeration tower for nitrogen stripping and
25 such a tower in Ontario would simply freeze up

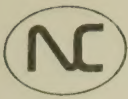


1 in the wintertime and it would not operate at all.
2 So that type of process is not applicable to the
3 Ontario conditions.

4 We have - and I do not mention
5 them in any detail - but we did in arriving at
6 the actuated sludge process consider other
7 alternatives for treatment of sewage here at
8 Dundas, and rather than spend the time to reiterate
9 them, we did consider I believe the full range
10 of processes that are available and it even
11 included a research paper and follow-up with some
12 work that was done in California on the sonic
13 treatment of sewage for the removal of pollutants.
14 That was a dud but nevertheless we did look
15 into it.

16 Now it has also been shown, and
17 this I think is very important, that the flow
18 this waterflow, not the organics and so forth,
19 the flow into the Cootes Paradise system from the
20 Dundas plant operated at designed capacity which
21 we are proposing, 4 mgd, would approximate. 20
22 per cent of the total cumulative annual flow,
23 waterflow entering Cootes Paradise.

24 Many of these other sources of
25 water that are coming into Cootes Paradise, is in



1 fact run off from agricultural and urban lands
2 and the work has been done in the last few years,
3 both in the States and in Ontario as showing that
4 the pollution levels in these runoffs can be 10
5 and more times greater than the sanitary sewage
6 plant effluents, so I think when the study is
7 complete, it will or should show the relative
8 magnitudes of all the inputs into Cootes Paradise
9 and then on that basis we can best make the
10 decision on one sole input being the Dundas
11 Sewage Plant, and all the others, improvements
12 and funding and so forth, should be made in the
13 context of spending the money available, whatever
14 amount, to derive the greatest result in the
15 protection of the Cootes Paradise.

16 I think that is my summary.

17 MR. PLANT: I would just ask one
18 question. As to - there was some question raised
19 as to the effectiveness of the treatment capacity
20 of the plant. Could you indicate the percentage,
21 what percentage of the intake sewage would be
22 treated as effluent within the capacity of the
23 plant?

24 MR. REICHERT: Presently, and
25 this is a relative thing, the percentage removal



1 that's right, that was one comment, there were
2 examples used about the present plant providing
3 perhaps 85 per cent removal and that resulted
4 in an annual input of so many pounds of B.O.D.
5 per year. In fact the present plant is operating
6 closer to about 50 to 60 per cent efficiency
7 in terms of Biochemical Oxygen Demand removal
8 and the expanded plant will operate in the 92 to
9 95 per cent range. And in working out percentages,
10 I do not like to relate to percentages simply
11 because it is directly affected by the quality
12 or the strength of the raw sewage as it enters
13 the plant. And work is now under way, but the
14 sewage, the raw sewage strength at Dundas now
15 at many times is rather weak. It is a low strength
16 sewage and as a result at times, when the present
17 plant has had the problems and discharged a very
18 poor quality effluent of 150 ppm B.O.D concentration
19 level, on that same day the raw sewage strength
20 composite sample was less.

21 So the inference is that statement is the
22 plant is in fact making the condition worse and
23 that is not the case in the long term, but I
24 believe that this plant when it is finished
25 will produce an effluent quality of about 95 per



1 cent removal of the incoming discharges.

2 THE CHAIRMAN: Mr. Reichert,
3 are there any significant industrial wastes in
4 Dundas?

5 MR. REICHERT: There is some
6 industry in Dundas, but the Town has in the past,
7 enacted an industrial waste control By-law and
8 has been reasonably successful in applying it,
9 and so on occasion there would appear to be
10 a discharge but it is a very intermittent kind
11 of thing and hard to control.

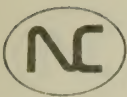
12 THE CHAIRMAN: Any idea what
13 the wastes are?

14 MR. REICHERT: Offhand, no.
15 We were unable, at the time we did the September
16 '73 report, to really define where it might be
17 coming from because it relates more to organic
18 discharges as compared to industrial discharge.
19 You are often looking for a chemical compound
20 or something like that that might give you a
21 clue.

22 THE CHAIRMAN: So it is
23 more organic then.

24 MR. REICHERT: That's right.

25 A SPEAKER: I am having a little



1 bit of a problem here with timing of the
2 situation. You say you are confident that your
3 plan is good yet you are waiting for the study
4 to come out in six months to inform you more
5 specifically. In that six month period, if this
6 is approved, you will be planning a plant which
7 you are waiting for results to come out and
8 inform you on?

9 MR. REICHERT: No, I am sorry.
10 I think it is generally agreed by most knowledgeable
11 participants at the hearing that the biological
12 process, one that works well, is a pre-requisite
13 to providing whatever else may be needed, whether
14 it is an outlet pipe or tertiary treatment, or
15 whatever form it might take. This unit is
16 going to be part of it, so we might as well get
17 on with it.

18 A SPEAKER: Suppose the
19 Environmental studies says the expansion of the
20 Sewage Treatment Plant would be disastrous for
21 water quality. You just can't put any more
22 effluent in it at all and you have got to pipe
23 it somewhere else, does that ---

24 MR. REICHERT: Well that's fine.

25 A SPEAKER: Well another six



1 months planning the plant?

2 MR. REICHERT: This plant will put
3 in less organics so a study that concludes with
4 the statement, do not do anything, would be poorly
5 written.

6 A SPEAKER: It would put in
7 less organics but it would put in a volume of
8 effluent, would it also put in on an overflow
9 situation, as the Parkside students came up with
10 100,000 gallons of raw sewage if there was an
11 overflow situation.

12 MR. REICHERT: And the overflow -
13 I am sorry, the overflow is more apt to happen
14 with the existing plant in its present condition
15 than it is ---

16 A SPEAKER: Yes, but it could
17 happen with the other.

18 MR. REICHERT: No. The overflows
19 are now occurring at the present plant. That is
20 a fact. With the expanded plant, and should the
21 study even be delayed some time, it will only
22 be operating at 50 per cent capacity, that there
23 is no rationale for it to have an overflow for
24 a long time, until it comes up to capacity and
25 there may be an occasion.



1 At that time, 10 years after or
2 whatever, surely to goodness we will have got a
3 final answer to where the effluent should be. If
4 the effluent should not be in Cootes Paradise at
5 all, then it will come out of Cootes Paradise.

6 A SPEAKER: After the plant
7 is built?

8 MR. REICHERT: Yes. We feel
9 in the long term, the present Woodward Avenue
10 plant itself discharges to Hamilton Harbour, and
11 if we were to build a plant at Dundas and do
12 the same thing, we have protected Cootes Paradise,
13 so that goal has been reached.

14 In terms of spending public
15 funds, we can do that at less cost than transferring
16 this sewage over to the Woodward Avenue plant
17 and expanding that plant to handle the Dundas
18 sewage.

19 A SPEAKER: I am a little
20 confused here with the fact that you have mentioned
21 that 80 per cent, or at least the Town sewage
22 plant only contributes 20 per cent of the effluent
23 of solution now; there is 80 per cent that coming
24 from elsewhere, from Spencer Creek -- would it be
25 the same if we do not allow effluent from the



1 Dundas sewage plant to go into Princess Point
2 and Cootes Paradise, it would be cleared up.
3 As your remarks come out, it would not be so
4 because you have 80 per cent of other solution
5 that is coming from other areas, so I do not
6 think the solution could clear Princess Point
7 and Cootes Paradise, it is not going to be done
8 by eliminating the pollution control in Dundas.

9 MR. REICHERT: Well one suggestion
10 was made, how about the deepening of the West
11 Pond area itself and use it, if you will, as a
12 tertiary treatment lagoon. In the same paper
13 Dr. Harris, if the West Pond area is too small
14 in terms of aeriol capacity to accept the Dundas
15 plant effluent, I am not debating whether it is
16 or isn't, but if it is - it is his statement
17 that it is - building ponds is not going to make any
18 change to the surface area, so we will have
19 no more capacity after the ponds are built to
20 handle the plant effluent than it does right now.

21 So I think the importance of
22 what I am trying to get to is the need to not
23 have clear facts that demonstrate a cause and
24 effect, if you do this, this will happen - and
25 it is properly understood before we proceed to



1 construction of work on the premise, that it
2 might produce an end product.

3 I think there are so many other
4 discharges to the Cootes Paradise area, that we
5 must understand them, Regional Council must
6 understand what they are in order to react to
7 those that are more severe, because it has a
8 total responsibility for the area not just for
9 the sewage plant.

10 THE CHAIRMAN: Any other
11 questions?

12 We will have a ten minute break.

13 --- Ten minute recess at 3:30
14 -----

15 --- Upon resuming at 3:40 p.m.

16 THE CHAIRMAN: Before Mr. Plant
17 makes his final summary, I do have a few interested
18 citizens here. I am going to deal with them first.

19 The first one I am going to deal
20 with is Mrs. Frank, a private citizen.

21 MRS. FRANK: Mr. Chairman,
22 members of the Board, I wrote this letter last
23 night and since then one of the questions I
24 raised has been partially answered by Mr. Kuchinski.
25



1 As an ordinary citizen of Dundas
2 listening to the arguments presented today at
3 the Town Hall, I found many valid questions were
4 being left unanswered. Among these were:

5 1. Why have no estimates been
6 requested or presented as to the total cost of the
7 new sewage treatment centre to include the addition
8 of numerous modules?

9 It was agreed that almost
10 certainly the new plant will not be able to cope
11 alone with the sewage and therefore the modules
12 will very likely be added. How much will the
13 complete project cost and does that estimate
14 compare to an original plan which includes a
15 tertiary system?

16 2. Is it certain, in any case, that
17 the Town is prepared to allow more and more land
18 to be used for more and more modules?

19 3. Why has there not been a more
20 definite projection of the Town's future population?
21 Vague figures have been bandied around ranging
22 from 25,000 people to 40,000 people. It is very
23 important to ascertain the numbers which this
24 plant will be required to service. The present
25 centre, at the end of the year, with the addition



1 of the new phosphates controls will only service
2 15,000 people; the new plant, it is estimated,
3 will service 20,000 - 25,000 more people; and so
4 at a capacity of 35,000 people in the Town, the
5 sewage plant will be back to square one and
6 unless the best possible treatment is allowed,
7 the condition of the surrounding waters will be
8 truly dreadful.

9 4. How long will the citizens of Dundas
10 be forced to pay a surcharge on the water they
11 use, ostensibly to pay for a new sewage treatment
12 centre, a project to which no one could object in
13 their own and their children's interest, but
14 which could become a heavy load if it serves as
15 a subsidy to developers and which could allow
16 for the eventual overflow of the whole system
17 again.

18 I would like to point out that
19 while only one development has officially been
20 accepted by the Town of Dundas, and will commence
21 immediately, the facilities are improved, there
22 are many plans being offered at every Planning
23 Committee meeting. One alone comprising an
24 area of about six acres has a projected population
25 growth of between 4,000 and 5,000 people containing



1 as it does two apartment blocks and many townhouses.
2 If similar developments are projected, how can
3 the new plant be effective for even the next ten
4 years.

5 I respectfully submit these
6 questions to the Committee and request that they
7 obtain and publicize the answers to them.

8 THE CHAIRMAN: Thank you
9 Mrs. Frank.

10 Are there any questions for Mrs.
11 Frank?

12 Thank you very much.

13 --- EXHIBIT NO. 39: Letter submitted by
14 Elizabeth C. Frank

15 THE CHAIRMAN: Mrs. Nina Chapple?

16 MRS. CHAPPLE: I have a brief
17 from the Dundas Heritage Association; just a
18 brief explanation. It is not just a historical
19 society in the strictest sense. The concerns
20 of the Dundas Heritage Association are twofold,
21 they look to the past and our heritage, both
22 the architectural and natural to evaluate it and
23 to assess it, and we look to the future to see
24 how these aspects can be best used in the future
25 planning of Dundas.



1 We have several publications out
2 about the Town, both about historical aspect and
3 plans and ideas about how they could be used in
4 the future and capitalized. I will read parts
5 of the brief.

6 In agreement with the stated
7 goals of both the Regional Council and the
8 Ministry of the Environment, the Dundas Heritage
9 Association is committed to the preservation of
10 Cootes Paradise.

11 As an organization dedicated to
12 the preservation of the best in our heritage for
13 the future, we value Cootes Paradise as a unique
14 and irreplaceable part of our natural heritage.

15 Cootes Paradise - Its Assets

16 That a protected wildlife sanctuary
17 with acres of open water and surrounding marsh
18 and woods is located here in the midst of our
19 highly urbanized area, is an asset of inestimable
20 value.

21 An "open green space" in planners'
22 terms, Cootes Paradise offers the city dwellers
23 endless opportunity to enjoy an energetic
24 hike around its shores, or a quiet refuge from
25 noise, crowds and congestion, or just a beautiful



1 view of the landscape undisturbed by vehicles
2 and buildings. Its restorative powers are
3 immeasurable.

4 As a wildlife sanctuary and nature
5 study area, it is one of the most significant
6 educational resources of our area, for amateurs
7 and professionals alike. So rich and varied
8 is the wildlife that naturalists are attracted
9 from considerable distances to study the rare
10 and unusual species here. It is here, too, where
11 the Royal Botanical Gardens carries out its very
12 successful educational and research programs.

13 In terms of Dundas's own past,
14 Cootes Paradise still reveals landmarks of the
15 once busy Desjardins Canal, the catalyst for the
16 town's rapid rise in the 19th century. The Halton-
17 Wentworth Waterfront Study of 1972 supported our
18 proposal that Dundas capitalize on the historical
19 significance of the canal rather than turn its
20 back on it.

21 These assets, just a few in the
22 total picture, are completely dependent on the
23 condition that Cootes Paradise achieve and
24 maintain a high quality of water. Already, however,
25 scientists have given us warnings that pollution



1 is reaching highly toxic levels and that Cootes
2 Paradise is in mortal danger. The decision on
3 the expansion of the Dundas Sewage Treatment
4 Plant is crucial. Those who make this decision
5 must take the responsibility of determining either
6 the survival or the demise of Cootes Paradise.

7 We have listed our objections to
8 the proposed plant and they followed along many
9 of the objections already raised, so I will read
10 the recommendations.

11 It is the opinion of the Dundas
12 Heritage Association that any new sewage treatment
13 plant should include the following three
14 provisions:

- 15 1. The effluent should allow the waters
16 of Cootes Paradise to achieve and
17 maintain the officially established
18 water quality.
- 19 2. Safeguards should be provided against
20 pollution in cases of emergencies such
21 as breakdowns.
- 22 3. A continuous monitoring system should
23 be established so that any problems
24 could be quickly detected and corrective
25 steps immediately taken.



1 We advocate, no matter what the
2 final choice is and no matter where the outfall
3 pipe is, that no building in any of the frozen
4 developments in Dundas be allowed to be built
5 until the above conditions are met. A new
6 development does not necessarily mean pollution
7 nor does a healthy environment necessarily prevent
8 development. Both are possible with intelligent,
9 far-sighted planning.

10 We urge the Environmental Hearing
11 Board to think now about the future; to plan now
12 for the future. It is your decision to determine
13 whether Cootes Paradise will look in twenty-five
14 years like a sewage lagoon, repugnant to the
15 surrounding neighborhoods and devoid of wildlife
16 or like a beautiful thriving nature area, rich
17 in bird, animal and plant life and an attractive
18 area for recreational activities.

19 THE CHAIRMAN: Thank you.

20 Any questions on this submission?

21 would you like to deal with your
22 husband's submission at this time, since I
23 presume he is not here?

24 MRS. CHAPPLE: He is not here.

25 He has a submission for the Naturalists' Club of



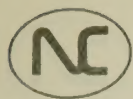
1 Hamilton. It is a Hamilton area club with a
2 membership of about 400 and at a meeting on May
3 12th, 1975, a quorum of the membership passed
4 this filing resolution which clearly expresses
5 its position on Cootes Paradise and is therefore
6 being duly submitted to this Environmental
7 Hearing Board.

8 WHEREAS Coote's Paradise was decreed a Crown
9 Game Preserve by the Provincial Government of
10 Ontario in 1927, at the instigation of the pre-
11 decessor of our Society, the Hamilton Bird Protection
12 Society, and has, since that time, been administered
13 and developed with nature trails and plantings by
14 the Royal Botanical Gardens;

15 AND WHEREAS the contrast of the beauty of the
16 Western Entrance to Hamilton with the industrialized
17 face of the Eastern Entrance to the City is
18 glaringly evident;

19 AND WHEREAS the water quality in Coote's Paradise
20 has been severely depleted by dumping of sewage
21 effluent, and poisonous substances, resulting in
22 the loss of plant communities formerly there, and
23 harmful effects on the wildlife and eco-system
24 of the area;

25 AND WHEREAS a marsh such as Coote's Paradise is



1 an irreplaceable natural community of plants
2 and animals, affording in our area unparalleled
3 opportunities for the public to observe at first
4 hand the delicate inter-relationships evident in
5 the study of natural history;

6 AND WHEREAS for the sake of expediency, natural
7 areas are being unduly sacrificed;

8 AND WHEREAS Coote's Paradise has already been
9 grossly abused by indiscriminate pollution;

10 AND WHEREAS the established trails in Coote's
11 Paradise, if judiciously used and protected,
12 provide respite from the daily stresses inherent
13 in life today;

14 AND WHEREAS the water within Coote's Paradise
15 marsh should be free from disturbance by motorized
16 boats, water-skiing, etc., to embrace the
17 sanctuary atmosphere so necessary to wildlife;

18 AND WHEREAS the Hamilton Region Conservation
19 Authority and the Royal Botanical Gardens have
20 made comprehensive submissions concerned with
21 water-quality goals, to which we wholeheartedly
22 subscribe;

23 AND WHEREAS we recognize the needs of the Town of
24 Dundas for improved and updated sewage facilities;

25 THEREFORE BE IT RESOLVED that the Hamilton



1 Naturalists' Club petitions the Regional
2 Municipality of Hamilton-Wentworth and the Ministry
3 of the Environment, to restore and preserve
4 Coote's Paradise at all costs; and to proceed,
5 with the least possible delay, on a study to
6 determine the existing water quality, to measure
7 the current pollution inputs and to predict the
8 effect of removing these inputs, on Coote's Paradise
9 water quality; and to establish water quality
10 goals for Coote's Paradise on the basis of long-
11 term plans.

12 THE CHAIRMAN: Any questions?

13 A SPEAKER: Do you know - of
14 course you are not responsible for the
15 Naturalists' Club's submission - but do you know
16 if any study or survey has been made of a similar
17 situation where an area could be a wildlife or
18 a bird preserve or birdland place very close
19 to or surrounded by civilization and what is
20 done in various places, various countries, to
21 attempt to preserve that. Is there any such
22 thing?

23 MRS. CHAPPLE: I do not know
24 of any such. Maybe Mr. Lamoureux of the Royal
25 Botanical Gardens would know.



1 A SPEAKER: I think that would
2 be a very useful thing for the Board to look
3 into since obviously the preservation of Cootes
4 Paradise is a matter of great concern to the
5 people of this area. It could be said that here
6 we are in the middle of enormous conservation
7 and it is too bad about Cootes Paradise, but it
8 has got to go. That's all, and what can you do.
9 We have to have so many thousand people here
10 by such and such a year, etcetera. Okay.

11 But the fact is, I strongly
12 suspect from just a smatter of reading knowledge
13 here and there, that other areas in other places
14 have been successful in preservations of this
15 kind. It would be interesting to know how they
16 do it. I am sure that each situation is different,
17 has its own peculiarities, but just the same it
18 might be useful to have some sort of a study
19 in this area.

20 THE CHAIRMAN: Any other comments?
21 Have these two briefs been filed
22 as exhibits?

23 MR. CATHCART: Mrs. Chapple's
24 submission is Exhibit 40. - Mr. Chapple's submission
25 is Exhibit 41.



1 --- EXHIBIT NO. 40: Brief submitted by the
2 Dundas Heritage Association
presented by Mrs. Chapple

3
4 --- EXHIBIT NO. 41: Brief submitted by Hamilton
Naturalists' Club, presented
5 by Mrs. Chapple

6 THE CHAIRMAN: I have some
7 more names here - several people indicated they
8 wished to speak, but they are not here and we
9 cannot delay the hearing any longer.

10 Well, ladies and gentlemen, I once
11 more ask if anybody has anything to say or any
12 questions to ask of any of the participants?

13 A SPEAKER: Mr. Chairman, may
14 I say a few words, a citizen of Dundas. I gave
15 my name yesterday, sir, and I said I would not
16 be speaking, but I changed my mind. I have no
17 brief.

18 THE CHAIRMAN: Would you give
19 us your name for the record now?

20 A SPEAKER: My name is Sidney
21 W. Woods. I am the President of the firm of
22 that name, engineers and surveyors in the City
23 of Hamilton. And I have been a resident of the
24 Town of Dundas for 38 years, have served on Council
25 and would like to make a few remarks, if I may,



1 with your permission.

2 THE CHAIRMAN: Go ahead.

3 MR. WOODS: Thank you.

4 During the past two days - and I
5 have been here with the exception of two hours
6 today during the entire period - we have heard
7 nothing but Cootes Paradise, in fact a lot of it
8 has been repetitive. It has been very interesting
9 but the thought occurs to me that certainly
10 Cootes Paradise is not an isolated incident.

11 Pollution is the word that is
12 manifest throughout the world and it doesn't
13 matter where you go in Canada, the United States,
14 Germany, the Rhine, France, the Seine, in Tokyo,
15 pollution. This is in the careless handling of
16 mankind of his natural resources. But you find
17 the world does not stop because of this pollution.
18 We must go on and try to correct the situation
19 but at the same time we just cannot sit on our
20 hands.

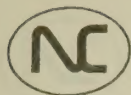
21 Twenty-five, thirty years ago,
22 as the Chairman knows well, there was a study
23 produced by the Grand River Conservation Authority
24 and the consensus of this publication was that
25 the Grand River was greatly infected from all - and

1 polluted from all sources. That three or four
2 major cities, Hespeler - Harris, were dumping
3 untreated sewage into the Grand River; there was
4 no fish life and the people in Brantford were
5 drinking the water.

6 Now that was the most pessimistic
7 thing that I think I had ever encountered because
8 the Grand, the home of the Six Nation Indians
9 was a wonderful thing 150 years ago but what
10 about today, today you will find that through
11 proper conservation and the exercise of care
12 the Grand River has come back, not to the extent
13 of 150 years ago, but nevertheless the fish are
14 there; trout, pickerel and others and people can
15 swim in it.

16 So I think the answer is this:
17 that these polluted bodies of water, such as
18 Lake Erie, such as Cootes Paradise, will eventually
19 when we exercise care and discretion, improve
20 themselves and come back to their natural state.

21 One thing that was not mentioned, about
22 this whole discussion was not mentioned until
23 this morning, and that was by Mr. Moriarity when
24 he brought in the word development that some of
25 you heard, and this in a way is what a lot of this



1 business of the extension of the Dundas Treatment
2 Plant is about. It is about the fact that the
3 Town fathers have decided that there must be
4 development in the Town of Dundas and there must
5 be provision for industry, commercial and for
6 single family and other types of residential
7 development, and this is what the Town fathers
8 are saying, that in order to provide the necessary
9 lands for these purposes, we must expand the
10 Dundas Treatment Plant.

11 Now I am well aware that there
12 are some people now resident in Dundas who do not
13 feel this way. They do not want to see Dundas
14 expanded. I think that in some respects it is
15 a selfish attitude because today there is a
16 terrific shortage of all forms of serviced land
17 in this area. Do you ever ask yourself the
18 question why it is you can go to Buffalo and buy
19 a house for \$35,000 that would cost double that
20 here. Do you ever ask why it is that you cannot
21 buy a lot to build a house, because it costs too
22 damn much.

23 A young engineer with my firm is
24 a graduate of McMaster and he said to me the other
25 day, "I would like to build a house. I would only



1 be too happy to get out there and build a house
2 but where in hell am I going to get a lot that
3 costs \$30,000?" and that is the going price in
4 Hamilton. So that young people are prejudiced,
5 they cannot buy a lot, they cannot afford to buy
6 a lot and senior citizens are prejudiced if
7 there is not accommodation for them.

8 Then in conclusion, gentlemen,
9 keep in your mind that this is the factor, that
10 if despite all the talk that has been given in
11 the last two days, that if this proposal is not
12 carried through, development work of all types
13 will stop in the Town of Dundas.

14 Thank you.

15 THE CHAIRMAN: Any questions of
16 Mr. Wood?

17 Thank you, Mr. Wood.

18 MR. WOOD: Thank you, sir.

19 THE CHAIRMAN: Is there anyone
20 else who has anything to say?

21 The reason is we come to this
22 point in the hearing where Mr. Plant, the
23 representative of the Applicant has the last say,
24 so I am asking for the last time if anyone has
25 anything to say or any questions to ask.



1 So I am closing off this part of
2 the hearing.

3 Mr. Plant will have his final
4 reply and then we close the hearing. Is there
5 anyone else who wants to say anything, because
6 I will not entertain them after this point.

7 Thank you.

8 Mr. Plant?

9 MR. PLANT: Thank you, Mr.
10 Chairman.

11 The position of the Region has
12 been set out in the letter of Mrs. Jones to the
13 Ministry of the Environment on September the 8th,
14 which resulted in this hearing taking place.

15 Part of the statement which she
16 made related to development being progressing
17 with the proposed sewage treatment capacities
18 and even after expansion, and this is important.
19 The Region is concerned - and I will show later
20 in my remarks - have a greater responsibility
21 than anyone here present, with respect to the
22 public interest.

23 Some people here represent part
24 of the public interest, but they are not responsible
25 to the public, only the Regional Council is. They

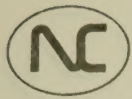


1 are charged with the responsibility and in
2 trying to exercise it, they become the most
3 noticeable figure to attack, to try to alleviate
4 conditions that I think that has been amply
5 demonstrated, is largely beyond the control of
6 the facilities which they have charge of.

7 They can, however, ensure that
8 they will not make the situation worse.

9 In addition to that, they have
10 another responsibility. They have a responsibility
11 to deal with sewage coming in. That is not the
12 responsibility of Conservationists or Environmental
13 experts who have very sincerely a part of the
14 public interests at heart and quite properly
15 bring it home to the Board. This is part of the
16 public interest that must be considered.

17 The public interest at large
18 remains with the Region. Section 77 of the Regional
19 Municipality Act indicates that the Regional
20 Municipality have the sole responsibility for the
21 collection and disposal of sewage and that means
22 all the criticisms and attack and
23 consequences of it that go with it. They are
24 prepared to accept that but they have acted and
25 they must take the consequences.

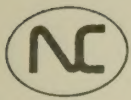


1 They have acted, I submit,
2 responsibly. The proposal they put before the
3 Board is needed, even if there was not any
4 expansion, because of the overcharging there now.
5 It is to alleviate a bad situation and not merely,
6 although that is one of the effects, not merely
7 to control environmental protection.

8 They have the additional
9 responsibility and that is to the Regional ratepayer.
10 They have a fiscal responsibility to see that the
11 money is well spent.

12 I submit that this expansion has
13 been well thought out, its effects have been
14 considered, alternatives of treatment have been
15 weighed and it is considered that a start must
16 be made somewhere, and this is a small step, a
17 necessary step, -it does not block the door for
18 further treatment. That question was asked
19 specifically and it was brought out specifically
20 by Mr. Reichert and by Mr. Pierce, that this
21 expansion will accommodate further refined
22 tertiary treatment. It will accommodate, if
23 required by the Ministry, an outfall.

24 The Regional Council has - and
25 I would like to provide the Board with a certified



1 copy of the Resolution, indicating they are
2 committed to this outfall. They will not back up
3 from their commitment. This is required. They
4 do not shut their eyes to alternatives.

5 I have another certified copy
6 of the Resolution dated the 5th day of November,
7 1974, in which the Commissioner of Engineering is
8 charged to continue studies and various
9 alternatives to the outfall situation. They
10 are not saying they have got an expansion, we
11 have to do it this way, and there is no other
12 way of getting rid of the sewage.

13 In addition the resolution
14 indicates that the Ministry of the Environment
15 be requested to carry out studies of all the
16 receiving waters of Cootes Paradise. Now this
17 has been amply demonstrated by the studies of
18 Mr. Lamoureux, the references, Mr. McKibbin
19 from the Presbyterian Church; Mr. Pierce of
20 the Ministry of the Environment study, that there are
21 other receiving waters. That even if we
22 produced a perfect effluent, the situation at
23 Cootes Paradise will not change overnight, but
24 we can do something and we are doing it.

25 We are prepared to bear the



1 criticism but we must, in all honesty, request
2 the Board to weigh the public interest in its
3 broadest sense.

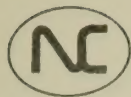
4 I would like to submit this
5 additional resolution to the Board as the
6 evidence of the Region's good intentions.

7
8 --- EXHIBIT NO. 42: Resolution dated 19th
of August, 1975

9
10 --- EXHIBIT NO. 43: Resolution dated 5th
of November, 1974

11
12 MR. PLANT: The brief of CHOP,
13 Clear Hamilton of Pollution, made reference - I
14 cannot let it go unpassed and I do not talk
15 about the matter we touched on this morning.
16 We touched upon the financial advisability of
17 doing this again, not a conservationist concern,
18 it is a Regional concern, among others that
19 they have in this whole project.

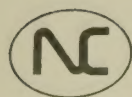
20 These monies have been set aside
21 in the estimates for 1976. They are not committed,
22 they are authorized by the Board. They cannot
23 be committed until this Board gives its approval.
24 They cannot pass a by-law to raise funds, raise
25 debentures, until this Board recommends to the



1 Minister and the Minister says yes, you can go
2 ahead.

3 I would like to file a certified
4 copy of these by-laws to show that we have taken
5 necessary steps and we are prepared, at this time,
6 to act now to take this small step which is going
7 to ruffle a lot of feathers and it is going to
8 cause a lot of concern about what is the ultimate
9 outcome of this step; but I suggest it is within
10 the power of this Board to recommend to the
11 Minister, in its report, that these concerns be
12 taken into account, that there be a recommendation
13 as to conditions which can be imposed, that the
14 Regional Council report the progress outcome of
15 the expanded facility so that the Ministry can
16 review, at that time, at the time of the
17 completion of the Environmental Study, what is
18 the best way of ultimately - and there is no
19 such word used in our terminology - what is the
20 ultimate solution to the sewage problem.

19 21 As a matter of fact, Section 51
22 of the Ontario Water Resources Act, enables the
23 Director and the Ministry to file with the Clerk
24 of the Municipality, a report, and if they do not
25 carry out the terms of that report, they can



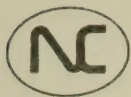
1 | compel them to do it. There are adequate safeguards
2 | at all stages for this expansion.

3 | I will not comment on the merits
4 | of the design itself, it has been adequately
5 | commented on by Mr. Reichert, and it is beyond
6 | my competence anyway.

7 | I merely wish to summarize the
8 | Region's position that their concern is being
9 | demonstrated by this step, if they fail to act,
10 | would the quality of Cootes Paradise improve,
11 | and if they do act, are they being damned anyway;
12 | but at least they can act so as not to make
13 | conditions worse and ultimately to improve them.

14 | They are keeping their options
15 | open so that a solution, which is put to them,
16 | once the Environmental Study is done, they will
17 | have to act again, come back to this Board under
18 | Section 42 of the Ontario Water Resources Act,
19 | they have to submit an application to the Ministry
20 | again as to how they are going to solve it,
21 | whether there is an outfall - tertiary treatment -
22 | he has a right to say no, you do it another
23 | way. He has a right to call another hearing
24 | like this, you see, to weigh the merits.

25 | All in all, Mr. Chairman, I think



1 the proposal put before you has great merit and
2 considered in the light of the responsibility with which
3 you are charged to weigh, in view of all the
4 briefs and the evidence given here today, the
5 public interest, that I am confident you will
6 approve of this expansion and are prepared - we
7 are prepared to live with whatever conditions,
8 the Ministry in their wisdom deem necessary.

9 I request and I urge that whichever
10 way you choose, whichever way - and I understand
11 you have a quorum, so you can report directly
12 to the Minister - whichever way you report, that
13 you do it soon. As Mr. Reichert has pointed out,
14 this plant is not something that can be built
15 overnight, a great deal of planning has to go
16 into it, there has to be a design phase commenced
17 no later than the end of this year to have a
18 building season next year, and therefore I urge
19 upon the Board the necessity of having this
20 approval obtained at the earliest opportunity.

21 Thank you, Mr. Chairman.

22 THE CHAIRMAN: Thank you, Mr. Plant.

23 Before I close the hearing, I
24 have two or three remarks to make ---

25 MR. PLANT: I am sorry, Mr.



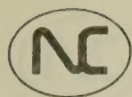
1 Chairman, in the course of my enthusiastic remarks,
2 I neglected to file two further resolutions. These
3 merely deal with the support that the Regional
4 Council gave to the Botanical Gardens standards,
5 they adopted them by Resolution. I have a certified
6 copy and as further evidence of their intention
7 to which we live by, and as well the actual
8 Terms of Reference of the Ministry of the
9 Environment Studies of Cootes Paradise, adopted
10 by Regional Council, 1st day of April, 1975.

11 And you will note it is very brief, Mr. Chairman,
12 the Terms of Reference are quite wide that all
13 of Cootes Paradise and the Desjardins Canal to
14 its terminus. The study should take into
15 consideration the following specific locations
16 but not be limited to -

- 17 a) King Street Sewage Treatment Plant Outfall
- 18 b) Chedoke Creek at Glen Road
- 19 c) Sterling Ravine
- 20 d) Spencer Creek and Cootes Drive

21 You see the Terms of Reference
22 are quite wide as to the complete contributing
23 waters to Cootes Paradise that can be studied
24 so that recommendation can be made.

25 Thank you, Mr. Chairman.



1 --- EXHIBIT NO. 44:

By-Laws of the Regional
Municipality of Hamilton-
Wentworth

2
3
4 --- EXHIBIT NO. 45:

Certified copy of Resolution
dated 19th August, 1975

5
6 --- EXHIBIT NO. 46:

Terms of Reference -
dated March 24, 1975

7
8 THE CHAIRMAN: Well as I was

beginning to say before I close the hearing, I
9 do have a few remarks to make. I do want to
10 complement the people attending this hearing
11 and I am especially addressing myself to the
12 various groups who participated, the private
13 citizens, and to the Ministry of the Environment.

14 From the Board's standpoint, we
15 have sat on many, many hearings, and this is
16 one where we have had, I think, an excellent
17 public participation and this is what the Board
18 encourages and what we are looking for.

19 I simply wanted, before we left
20 today, to congratulate you on the good public
21 participation in this hearing.

22 I have been asked by a number
23 of people, what happens now that the hearing is
24 over. We will be reporting - preparing this
25



1 report - and I can assure you, Mr. Plant, that
2 we will give it top priority. When the transcripts
3 are available, the report will be prepared by the
4 three sitting members present here today, assisted
5 by our staff.

6 We will be tabling this whole
7 report before the whole Board, but this is no delay
8 but simply a practice which we normally follow.
9 The report is then submitted, sent over to the
10 Ministry of the Environment, to the Director of
11 Environmental Approvals, and in my opening remarks
12 I made reference to the point that this was not
13 a decision-making Board, and we simply make
14 our recommendations and conclusions on these
15 recommendations and the conclusions are based
16 on what has transpired at the hearing; and our
17 report, as it is spelled out in the legislation,
18 we have to give the reasons for our recommendations,
19 and conclusions. The Ministry of the
20 Environment, in considering the application
21 before it, the Region of Hamilton-Wentworth will
22 use our report as one of its pieces of material
23 and which it will judge whether to approve the
24 application or not. Some people might say, well
25 if you are only a recommending Board, then you have



1 not got much teeth or clout. I might say that
2 our track record on this Board is very good in
3 that since I became Chairman anyway, there has
4 never been an instance where the Ministry has
5 not gone along with our recommendations, so maybe
6 our strength is in our lack of strength.

7 The transcript - copies of the
8 transcript will be available in about two weeks.
9 If anybody wishes copies we charge just what it
10 costs the Board to have them printed, and that
11 is roughly $1\frac{1}{2}$ cents a page.

12 I am guessing that this transcript
13 will run to probably three or 400 pages, so you
14 can figure out your arithmetic, and, see what it will
15 cost. If you are interested in receiving a
16 copy of the transcript, if you would contact the
17 Board within the next two weeks, indicating your
18 intent, then we will not overprint the transcript.
19 So if you are interested in having a copy of
20 the transcript, let us know within two weeks.

21 Our address is 1 St. Clair Avenue
22 West in Toronto.

23 I do not think I have anything
24 more to say, except to thank you for your
25 participation.



1 A SPEAKER: What is your title?

2 THE CHAIRMAN: The Environmental
3 Hearing Board, 1 St. Clair Avenue West, Toronto,
4 Ontario, M4B 1A7. The telephone is 965-2531.
5 That is Area Code 416.

6 A SPEAKER: I am just going to
7 say, can we send it by carrier pigeon.

8 Is a phoned-in request acceptable?

9 THE CHAIRMAN: Yes. I think
10 you have to send your money eventually, before
11 we will send you the report, and I do not know
12 when you would get the report, with the postal strike.

13 This hearing is closed.

14
15 --- Hearing adjourned at 5:15 p.m.

16 -----

17
18 Certified Correct

19
20 *W. Cameron*

21

22

23

24

25

HAMILTON PUBLIC LIBRARY



3 2022 21335816 7

